

Appendix to  
Intolerance and the Politicization of Science  
at the Smithsonian

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

April 7, 2006

The Honorable Lawrence M. Small  
Secretary  
Smithsonian Institution  
1000 Jefferson Drive SW  
Washington, DC 20560

Ms. Sheila Burke  
Deputy Secretary and Chief Operation Officer  
Smithsonian Institution  
1000 Jefferson Drive SW  
Washington, DC 20560

Dear Secretary Small and Deputy Secretary Burke:

Thank you for facilitating the November meeting between Dr. Richard von Sternberg and the Smithsonian's director of human resources, James Douglas. We understand that Dr. Sternberg made several requests of the Smithsonian, and your letter dated January 30, 2006, is intended to be a "comprehensive response" to those requests.

We have read a copy of the letter, however, and are extremely disappointed with the Smithsonian Institution's bureaucratic stonewalling and lack of responsiveness in correcting what were clear actions of hostility and discrimination against Dr. Sternberg for his scientific viewpoints. It is apparent to us that the Smithsonian is guided by an authoritarian ideology that suppresses free scientific inquiry and intellectual curiosity that are so essential to the practice of good science.

In your letter, you deny any wrongdoing on the part of staff at the National Museum of Natural History (NMNH) and you deny that museum staff had any role in damaging Dr. Sternberg's reputation. There is strong evidence to the contrary, however, that you have seemingly ignored and refused to internally investigate.

To begin with, you state in your letter that Dr. Sternberg has "fulfilled all of [his] responsibilities as a Research Associate" and is "in good standing." While we appreciate this statement, it is in a private letter to Dr. Sternberg and does not represent a serious effort to clear his name. If the Smithsonian is serious in its intent, it should take action to secure an extension of Dr. Sternberg's term as a Research Associate with NMNH and should also make sure that any individual involved in creating a hostile work environment for Dr. Sternberg faces consequences for his or her actions.

In response to Dr. Sternberg's request that a statement be made by the Smithsonian that it does not and will not condone discrimination against people who have different ideas or views on the origin of the species, you write, "In June 2005 Secretary Small issued the Institution's 'Diversity and Equal Employment Policy Statement' which makes clear that the Smithsonian does not condone discrimination of any kind." You also write that "the Smithsonian expects all employees and others associated with the Institution to conduct themselves and be treated in a civil manner during full and vigorous debate of all matters of interest to the scientific community."

Despite these statements and the policy you mention against discrimination, it appears that you are not enforcing the very policy that is intended to protect people like Dr. Sternberg.

Many of the emails reviewed by the House Subcommittee on Drug Policy, Criminal Justice and Human Resources (hereafter referred to as "the Subcommittee") reveal that NMNH staff did create a hostile work environment for Dr. Sternberg and treated him unfairly as a direct result of his editorial involvement with the publication of the Stephen Meyer paper in the *Proceedings of the Biological Society of Washington* (hereafter *Proceedings*). Nowhere in the emails is there any indication of a *genuine* effort on the part of Museum management to ensure that Dr. Sternberg is treated fairly and protected from discrimination and hostility for his scientific viewpoints.

Almost immediately after the August, 2004, issue of the *Proceedings* was published, there is email traffic between Museum staff indicating they are considering ways to penalize Dr. Sternberg or dismiss him altogether for his involvement in the publication of the Meyer article. These considerations were being discussed without any hard evidence of unethical behavior on the part of Dr. Sternberg.

At one point, on October 5, 2004, Dr. Coddington (in his capacity as Dr. Sternberg's "supervisor") tells Dr. Sues via email that he is planning to meet with Dr. Sternberg to discuss the conditions of his ongoing research associate position and to "hint that if he had any class he would either entirely desist or resign his appointment." If this statement isn't an example of a hostile work environment and discrimination, what is? Clearly, the NMNH management was trying to make Dr. Sternberg's life at the Museum as difficult as possible and encourage him to leave on his own, since they knew they had no legal grounds to dismiss him.

Additionally, it appears that the government relations office of the Smithsonian knew that the National Museum of Natural History was wrong in its claim that no discrimination had occurred. One of your own employees acknowledged as much in an email. Email correspondence dated 10/5/04 from Nell Payne to Evelyn Lieberman at the Office of Personnel Management states: "This is tricky. This looks to me precisely the sort of management pressure Sternberg is complaining about... Sounds to me like the response is that Sternberg is a research associate (need more clarity on what that actually means) and not an employee. What he does on his own time with his own resources is his own business, and if management indicated otherwise it was misinformed." Since we know from other emails that the Museum management did "indicate otherwise," your office should ensure that there are appropriate consequences for those NMNH

individuals involved who permitted, and even encouraged, the discriminatory and hostile environment Dr. Sternberg experienced at NMNH.

We would also like to express our disagreement with your statement to Dr. Sternberg (in your January 31, 2006 letter) that the Smithsonian “has no basis on which to determine your [Dr. Sternberg’s] reputation has been affected by statements made by NMNH staff.” To the contrary, the communication we have reviewed demonstrates that Dr. Sternberg’s reputation was negatively impacted by the statements and actions of NMNH management and staff. It is not just Dr. Sternberg’s “perception” as you suggest.

Other emails reviewed by the Subcommittee reveal improper and discriminatory activities on the part of Museum staff (during working hours and with Museum resources) that were intended to damage Dr. Sternberg’s reputation and credibility. For instance, Dr. Lemaitre apparently conducted his own background research on Dr. Sternberg’s outside activities and affiliations, including his supposed involvement with religious-based organizations, in an attempt to damage his reputation as a scientist. Dr. Lemaitre forwarded his background research on Dr. Sternberg to scientists outside of the Smithsonian, eliciting the following response from a University of Virginia scientist:

“This is truly frightening! I cannot believe it has come down to this. Scientists have been perfectly willing to let these people alone in their churches. But now it looks like these people are coming out and invading our schools, biology classes, museums, and now our professional journals. These people to my mind are only a scale up on the fundies of a more destructive kind in other parts of the world.”

While this unbelievably discriminatory statement did not come from NMNH staff, it was exactly this kind of reaction that Lemaitre was trying to encourage in an effort to damage Dr. Sternberg’s reputation in the scientific community.

Additionally, from the very beginning of the Sternberg controversy, there was much speculation within NMNH and the scientific community as to whether or not Dr. Sternberg had followed proper procedures in having the Meyer article peer-reviewed. In numerous emails reviewed by the Subcommittee, NMNH staff and others in the scientific community, such as the National Center for Science Education’s Dr. Eugenie Scott, allege that Sternberg must not have had the article peer-reviewed, and, if he did, the reviewers must have been either incompetent or a supporter of intelligent design (9/9/04 email conversation between Frank Ferarri and Hans Sues and 8/26/04 email from Eugenie Scott to Hans Sues). All of these allegations have been very damaging to Dr. Sternberg’s reputation within the scientific community as it would be the ultimate demonstration of scientific irresponsibility for a scientific journal’s editor to publish an article without proper peer review.

We are most concerned that Dr. McDiarmid, the president of the Biological Proceedings of Washington, actually knew in late August—soon after the controversy began—that the Meyer article had been properly peer reviewed. Dr. Sternberg states on his website that Dr. McDiarmid informed him in an email message on August 25, 2004, that, indeed, the peer reviews supported the publication of the article. Why then did Dr. McDiarmid not bring clarity to the situation

early on in the controversy? It seems that Dr. McDiarmid never intended to settle the matter. He knew there had been no impropriety in August, 2004, yet he chose not to disseminate this important information.

Finally, we find it unbelievable that you continue to ignore the findings of the Office of Special Counsel in its “pre-closure” letter to Dr. Sternberg. As you know, the OSC found that Dr. Sternberg’s allegations of discrimination are supported by the evidence uncovered through its preliminary investigation. Regardless of the fact that the OSC closed Dr. Sternberg’s case due to jurisdictional questions, we would think that the Smithsonian would be sufficiently concerned by the OSC’s findings that it would make appropriate internal changes and adjustments to ensure that such discrimination is properly penalized and never occurs again.

Specifically, the OSC found that had Dr. Sternberg been protected by Title V of U.S. Code, the NMNH staff would have violated Section 2303 (b) (10) referring to the prohibition on personnel to discriminate against an employee for non-job related activities. Additionally, the OSC found that “there is a strong religious and political component to the actions taken after the publication of the Meyer article.” The OSC letter concludes that the retaliation against Dr. Sternberg was supported by the evidence: “Our preliminary investigation indicates that retaliation came in many forms. It came in the form of attempts to change your working conditions and even proposals to change how the SI retains and deals with future RAs. During the process you were personally investigated and your professional competence attacked. Misinformation was disseminated throughout the SI and to outside sources. The allegations against you were later determined to be false. It is also clear that a hostile work environment was created with the ultimate goal of forcing you out of the SI.”

The OSC’s lack of legal jurisdiction does not negate their findings; it only negates their ability to present their findings to the Merit Systems Protection Board, which adjudicates such matters. The OSC found evidence and instances of discrimination, and the Smithsonian has completely disregarded these findings at the expense of a research associate’s scientific reputation.

The failure of the Smithsonian to take this matter seriously—as demonstrated by your letter to Dr. Sternberg—heightens our concern about the pattern of bias and discrimination we have observed at the Smithsonian. We hope you will seriously consider the evidence we have presented in this letter that shows that Dr. Sternberg did experience a hostile work environment and suffer damage to his reputation by NMNH management as a direct result of his editorial involvement with the Meyer paper and his colleagues’ perception of his viewpoints on biological evolution.

In closing, please respond to the following questions to help us better understand the Smithsonian’s position against discrimination:

1. What precipitated the Smithsonian’s issuance of the “Diversity and Equal Employment Policy Statement” in June, 2005? Did a similar policy exist prior to that date? If yes, how do the two differ from one another? Please send us a copy of the statement in addition to an explanation of how this statement is publicized among staff.

2. Are research associates protected by the Smithsonian's Diversity and Equal Employment Policy Statement and the Smithsonian's commitment to "have all employees and others associated with the Institution conduct themselves and be treated in a civil manner during full and vigorous debates of all matters of interest to the scientific community, including ideas which may generate strong opinions and heated discussions"?
3. What procedures and processes are in place to ensure that the policy is followed? Is there an individual or office to which an employee can take his or her grievances? And, what actions or consequences are authorized to rectify a conflict?
4. If the Smithsonian is committed to being a discrimination-free institution, as is apparently stated in your Diversity and Equal Employment Policy Statement, why has the Smithsonian not taken action to correct the discriminatory actions and hostile work environment experienced by Dr. Sternberg as detailed in the OSC's preliminary investigation? If the Smithsonian believes that the OSC is wrong in its findings, why has there not been a comprehensive internal investigation to either disprove or confirm the OSC's report?
5. Finally, will you assure us that Dr. Sternberg may return to the NMNH to conduct his research without fear of reprisals, with his own office as before (and as his comparable colleagues enjoy) and with full access to museum specimens? Will you also extend his appointment?

Please provide us with a copy of the Smithsonian's Diversity and Equal Employment Policy Statement and answers to the above questions to our offices by April 26, 2006. Should you have any questions, please contact Erika Heikkila with Congressman Souder (202-225-4436) or Zack Moore with Senator Santorum (202-224-6324).

Sincerely,



Rick Santorum  
United States Senator



Mark Souder  
Member of Congress



# Smithsonian Institution

Sheila P. Burke  
Deputy Secretary and Chief Operating Officer

May 3, 2006

The Honorable Mark Souder  
2231 Rayburn House Office Building  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Souder:

Thank you for your letter dated April 7, regarding your continued concerns with Dr. Richard von Sternberg and his relationship to the National Museum of Natural History (NMNH). You pose five further questions on this matter, which I am pleased to answer.

First, however, I would like to respond to several statements contained in the body of your letter. You state that Dr. von Sternberg suffered "discrimination" and that "the Smithsonian is guided by an authoritarian ideology that suppresses free scientific inquiry and intellectual curiosity that are so essential to the practice of good science." Dr. von Sternberg was associated with a controversial viewpoint, and other scientists reacted in strong disagreement to the expression of that viewpoint. While the tone of the disagreement between scholars may seem harsh, disagreement does not equal discrimination.

To answer your specific questions:

1. The Smithsonian first issued a formal policy on the issue of discrimination in 1972. Since then, the policy has been revised and republished several times, as provisions of the relevant laws have changed. The policy has also been revised and republished with the arrival of each new Secretary. In observance of the Equal Employment Opportunity Commission's MD 715, issued in 2003, we now also publish the policy annually, whether it has been revised or not. The statement is provided annually to all staff via e-mail, most recently in the June 2005 version you reference. It is also posted in various places throughout the Institution, including a link on our intranet home page, and is provided to new employees when they come on board. A copy of the statement is attached.
2. The Smithsonian "Diversity and Equal Employment Policy Statement" is focused primarily on Smithsonian employees. However, that statement reflects our policy to treat all other persons associated with the Institution, including Research Associates, Fellows and contractors, in a manner consistent with the ideas and concepts set forth in that document. All persons associated with the Institution, therefore, are covered by the commitment you referenced from my January 30 letter to Dr. Sternberg.

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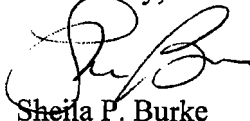
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3. There are a number of procedures and processes to ensure that our diversity and equal employment policies are followed. The Smithsonian's Office of Equal Employment and Minority Affairs (OEEMA) is responsible for ensuring that equal employment laws and policies applicable to Smithsonian employees and applicants for employment are followed. Thus, any employee or applicant who feels he or she is the victim of illegal discrimination based on race, color, national origin, religion, gender, age, parental status, marital status or sexual orientation may raise the issue with OEEMA or otherwise discuss their concerns with that office. Further, Smithsonian employees who are represented by a union may file a grievance under applicable collective bargaining agreements, and those employees who are not represented have the agency grievance procedure available to them. In addition to these formal processes, the Institution provides the services of an Ombudsman who is available to anyone with workplace issues. If illegal discrimination is found, the consequences can range from counseling to removal, depending on the seriousness of the illegal conduct. Regardless of whether an individual is an employee or not, it is our policy to treat all persons associated with the Smithsonian in a manner that is fair, equitable and nondiscriminatory.
4. In the public interest, the Smithsonian cooperated with the inquiry of the Office of Special Counsel (OSC), irrespective of the fact that OSC has no jurisdiction over issues relating to a non-employee. In addition, we conducted an internal inquiry, including a review of OSC's preliminary findings, and concluded that Dr. von Sternberg is a Research Associate in good standing at NMNH, and that he has the same access to office space, laboratories, collections, libraries and other common facilities as that accorded to other Research Associates.
5. As stated in my January 30 letter to Dr. von Sternberg, he may return to NMNH to conduct his research without fear of reprisal. He retains full access to the collections he needs for his research and to his office, which is equivalent to that provided to other Research Associates. He does not, however, have access to his late sponsor's office, which was never assigned to him and is now occupied by someone else. On the issue of extending his appointment, it would be inappropriate to agree to the extension of an appointment which has not been requested through the normal application process. To do so would be a disservice to other applicants, and in fact would treat Dr. von Sternberg in a manner different from other Research Associates. Should he seek an extension of his appointment when it expires in January 2007, his application will receive full and fair consideration.

I hope this information is helpful. Please do not hesitate to contact me again if you have any further questions.

Yours truly,



Sheila P. Burke

(Identical letter sent to the Honorable Rick Santorum)





Smithsonian Institution

Date: June 30, 2005

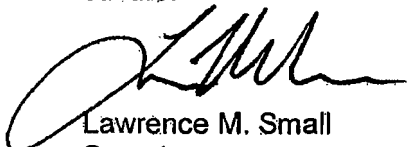
**Subject: Diversity and Equal Employment Policy Statement**

The Smithsonian Institution reflects the growing contributions of our diverse population through its magnificent display of programs, activities, and exhibits. As we seek to further our understanding of this mosaic that is our national identity, we must demonstrate our appreciation for, and achievement of, diversity at all levels and in every aspect of the Institution's operations. I am personally committed to creating and maintaining a workforce at the Smithsonian that ensures all employees are treated equitably in an environment that is free from discrimination regardless of one's race, color, national origin, religion, gender, age, disability, parental status, marital status, or sexual orientation. Therefore, I ask you to join me in making this a reality through your conformance with and support of this policy.

Our approach will be based on maximum inclusion, cooperation, and respect for the uniqueness that a diverse people can bring to any successful venture. All personnel practices, including recruitment, hiring, promotion, assignments, training, and separation, will be conducted in a manner that ensures fair treatment of all individuals. In addition to diversity in our workforce, we will have full diversity in our programs, exhibits, and educational activities to attract new audiences who previously have not been represented in these areas.

To achieve true diversity, we will have to do more than focus on representation. We will demonstrate our understanding and respect for all contributions and capitalize on our physical, cultural, and social differences. Every employee is a partner in fostering a workplace where everyone is valued and has confidence that merit is the basis for employment decisions. Managers at all levels, and their supervisors who report to them, are responsible for achieving diversity and will be held accountable through annual performance appraisals. All supervisors must attend the "EEO for Supervisors" course as well as recommended training in personnel management.

When embraced and managed effectively, diversity increases productivity, broadens perspectives, improves morale, and fosters creativity. Our success will be evident by our ability to attract and retain employees who are committed to moving us toward our goal of connecting Americans with their history and their culture.



Lawrence M. Small  
Secretary



## Smithsonian Institution

Sheila P. Burke  
Deputy Secretary and Chief Operating Officer

January 30, 2006

Dr. Richard von Sternberg  
[REDACTED]  
[REDACTED]

Dear Dr. Sternberg:

Thank you for taking the time to meet with James Douglas, Director of the Smithsonian Institution Office of Human Resources on November 29, 2005. I write in response to the numerous issues that you raised with Mr. Douglas at that meeting. Mr. Douglas briefed me on the substance of your discussion and I will respond to each issue. This letter constitutes the Institution's comprehensive response to the issues you raised.

First, you requested a letter of apology from Secretary Small to you stating that you did not break any Smithsonian rule, regulation or policy, and acknowledging that your reputation has been affected by statements made by staff of the National Museum of Natural History (NMNH). With this letter let me confirm that we found that you fulfilled all of your responsibilities as a Research Associate with the Institution and that you are a Research Associate in good standing. With respect to a letter of apology, the Smithsonian has no basis on which to determine whether your reputation has been affected by statements made by NMNH staff. Whether your reputation has been affected, either positively or negatively, would depend in part on your personal perceptions as well as the perception of those persons who may have read, heard or been made aware of the statements (by you or by others).

Second, you requested that a statement be made by the Smithsonian that it does not and will not condone "discrimination" against people who have different ideas or views on the origin of species. In June 2005 Secretary Small issued the Institution's "Diversity and Equal Employment Policy Statement" which makes clear that the Smithsonian does not condone discrimination of any kind. Moreover, the Smithsonian expects all employees and others associated with the Institution to conduct themselves and be treated in a civil manner during full and vigorous debate of all matters of interest to the scientific community, including ideas which may generate strong opinions and heated discussions.

Third, you noted your belief that your position as a Research Associate with the museum

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January 30, 2006

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would be terminated and you would like to have it renewed after expiration. You also stated that you did not believe you presently had a "sponsor" at the museum (a requirement for a Research Associate), and that you did not expect anyone to come forward to be one at this point. It is my understanding that, pursuant to Smithsonian Directive 205 "Research Associates" (June 7, 2001) and your appointment letter, your current appointment as a Research Associate at the NMNH lasts through January 4, 2007. Should you choose to apply for a position after this time, your application would be given every consideration and be treated in the same fashion as other applications. Please also note that your belief that you lack a sponsor is in error. When your first sponsor, Dr. Brian Kensley, passed away, Dr. Jonathan Coddington, Chair of the Invertebrate Zoology Department, became your sponsor. When you transferred to the Vertebrate Zoology Department, Dr. Richard Vari, the Chair of that Department, became, and continues to be, your official sponsor. Your continuing association with the Smithsonian Institution as a Research Associate, of course, requires you to comport with the standards of conduct as set forth under SD 205 to which all Research Associates are held accountable. This includes the requirement that Research Associates not misrepresent their relationship to the Institution, particularly in any way representing themselves as employees of the Smithsonian.

Fourth, you stated that, while you are not asking for any money personally or for a permanent position at the Institution, you felt that you had lost a year or more in your research because of your "inability" to work as a Research Associate at the NMNH. As a result, you stated you would like to have a "grant" or some other funding in the amount of \$300,000 over a three year period. You said this money would not be construed as salary, but would be used strictly for your research. When Mr. Douglas noted that the Smithsonian does not give grants, you indicated that any funding vehicle would be acceptable. You also said you do not trust NMNH staff and that you needed "intellectual and research freedom." You stated the money would allow you to hire support staff to assist you in getting your research back up to speed. You said you were not requesting residency at the museum, but would like to come in and use the collections as necessary.

Your request for funding cannot be granted. The Smithsonian itself does not provide funding or staff for its Research Associates (although Research Associates often have other sources of funds such as grants from National Science Foundation, the National Institutes of Health or private foundation to pay for the kinds of services you are requesting). As a Research Associate, you are entitled to use the collections and assigned space for your research. This access has been, and will be, available to you throughout your term as a Research Associate.

Fifth, and finally, you stated that you had to leave your research notebooks in the crustacean lab and had no idea where they may be, and had to turn in your keys to the museum. Your personal files remain in the areas you were using. The files you left in the Invertebrate Zoology office and in the Vertebrate Zoology office are still there. The specimens and library books you left in your office have been returned to the collections

January 30, 2006

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and to the library to allow access and use by others since you had not used them for several months; you have full access to these materials at any time. With respect to your keys, I was informed that you did not return the master key for the Invertebrate Zoology office, or the two keys from the Fish Division. As you know, as part of an effort to enhance security at the Museum, all researchers were asked to return their keys in 2004, and were issued coded identification badges to provide access to non-public areas. The badge you were issued, which provides general access to doors and elevators, is still operative. If you have any problems gaining access to conduct your research, however, please contact the Security office at NMNH. In accordance with NMNH policy, please return your old keys as soon as possible to your sponsor, Dr. Vari.

I hope this letter adequately responds to the issues you raised in the course of your discussion with Mr. Douglas.

Sincerely,

A handwritten signature in dark ink, appearing to read 'S.P.B.' followed by a horizontal line.

Sheila P. Burke  
Deputy Secretary & Chief Operating Officer  
Smithsonian Institution



Smithsonian  
*National Museum of Natural History*

Richard v. Sternberg  
[REDACTED]  
[REDACTED]

Dear Dr. Sternberg,

It is a pleasure to inform you of your appointment as Research Collaborator at the National Museum of Natural History, Smithsonian Institution, for a period of three years, beginning 15 November 2006 through 14 November 2009.

While we are delighted to welcome you, there is a procedural matter of which you should be aware. Since Smithsonian academic appointees are not employees of the Institution, their activities are not covered by Smithsonian indemnification policies, and our academic appointees are not authorized to commit Smithsonian resources, absent specific delegation. Please see the attached for further details.

I wish to take this opportunity to express my confidence that your association with us will afford you additional opportunities for productive research.

Sincerely,

Cristián Samper K.  
Director

Smithsonian Institution  
*National Museum of Natural History*  
Academic Appointment Agreement  
**Research Collaborator**

The Museum takes great pleasure in informing you of your appointment as a **Research Collaborator** at Smithsonian's National Museum of Natural History. The title of Collaborator is awarded to formally acknowledge your academic affiliation with the Institution and its research community. Your affiliation with the Museum lasts through the duration indicated in your award letter. Please note that there are several procedural matters associated with your award of which you should be aware.

1. Collaborators are professionals who work independently within the National Museum of Natural History research and collection facilities or informally collaborate with members from the NMNH community on scientific endeavors but regularly make use of our research and collection facilities.
2. Collaborators are not employees of the Smithsonian and do not receive pay or financial award as part of the appointment.
3. Collaborators are not covered by Smithsonian indemnification policies, and are not authorized to commit Smithsonian resources nor speak or act on behalf of the Smithsonian, absent specific delegation.
4. Collaborators may apply, with the approval from the appropriate individuals and offices, for outside grants or contracts using the Smithsonian as a home institution. Collaborators submitting proposals for outside grants or contracts must follow the Smithsonian proposal submission process (detailed in Smithsonian Directive 321). If an outside grant or contract is awarded to the Collaborator, additional Smithsonian Directives must be followed and the Collaborator appointment may be replaced by an appointment that reflects formal Smithsonian employee or contractor status for the duration of the grant or contract.
5. It is the responsibility of an individual awarded the title of Collaborator to comply with the Institution's and Museum's Collections Management Policies (Smithsonian Directive 600 and the NMNH CMP, respectively), and conduct themselves in compliance with the general principles and specific provisions of the Standards of Conduct for Research Associates (detailed in Smithsonian Directive 205), which also apply to those with appointment as Research Collaborator, as well as uphold the integrity of research activities (detailed in Misconduct in Research, Smithsonian Directive 604). Specifically, Collaborators, absent specific delegation, must not
  - misrepresent their relationship to the Institution, particularly in any way representing themselves as employees of the Smithsonian
  - for the purpose of furthering a private interest, directly or indirectly make use of, or permit others to make use of, information obtained through their Smithsonian appointment that is or would be unavailable to external scholars or the general public
  - use official Smithsonian letterhead and similar materials, mailing privileges, or equipment, or supplies for anything not related to official Smithsonian business
  - obtain official Smithsonian Institution business cards that use the title of Research Collaborator / Collaborator. Under unusual circumstances, Collaborators who have a special affiliation with the Institution may request permission to obtain and use business cards from the Museum Director (certain restrictions may be applied to their use)
  - reproduce copyrighted material in the absence of specific approval to do so from the owner of the copyright

Academic Appointment Agreement  
Research Collaborator

Appointment as Collaborators of the National Museum of Natural History carries certain expectations. Renewal of an appointment is contingent upon meeting several terms and conditions, including:

1. Demonstrating active collaboration with NMNH scientific community in general, and with the appointment sponsor(s) in particular, through collaborative projects, proposal submission, co-authored publications, etc.
2. Providing copies of all publications authored during the term of appointment, especially of co-authored articles and abstracts with sponsoring staff; those that cite use of collections and/or facilities; acknowledge NMNH staff, collection, and facilities; or otherwise record contribution appointment provided toward the publication. A database is maintained of such records and your direct input of data into this system will be appreciated.
3. Filing a report at the end of the term of appointment to document contributions to NMNH scientific research through scholarly publication or presentation, participation in research or collection project(s), or otherwise accomplishes at least one collaborative objective during the appointment period.
4. Collaborators are also encouraged to present at least one seminar or poster to the NMNH community about their research expertise.

Upon termination of the appointment, Smithsonian exit processes must be completed. These include completing an exit clearance form and, where appropriate returning Smithsonian identification credentials.

For additional information please see the referenced literature, including an information brochure for Research Associates, produced by the Smithsonian's Office of Research Training and Services (ORTS) which also applies to Research Collaborators. If you have questions about your appointment as Collaborator, please refer to the NMNH Policies & Procedures for Academic Appointments and in particular Research Collaborators, which are posted on the NMNH intranet, or contact the NMNH Office of Academic Services.

**From:** Rafael Lemaitre  
**To:** Coddington, Jonathan; SUES, Hans  
**Date:** 9/13/04 1:46PM  
**Subject:** Re: Upcoming in Helsinki

Well, if you ask me, a face to face meeting or at least a "you are welcome to leave or resign" call with this individual is in order. Of course, that is easy for me to say, and as bosses it is you who have to decide what to do. I will always respect your decision. All I can say is that this is plain embarrassing for us all in NMNH. What will we do when a book on ID comes out with our name on it? Believe me, it will come. The BSW made a crucial error a year ago, and it seems to me we don't want to do the same.

If you have not yet seen the summary update, see:

[http://www.ncseweb.org/resources/news/2004/ZZ/331\\_id\\_paper\\_continues\\_to\\_attract\\_9\\_10\\_2004.asp](http://www.ncseweb.org/resources/news/2004/ZZ/331_id_paper_continues_to_attract_9_10_2004.asp)

A key to all this is whether the infamous PBSW article was really peer-reviewed or not. Since the museum funds a lot of papers in that journal, it seems to me a reasonable thing for NMNH to ask BSW to demonstrate what really happened by opening the files to you. They certainly should have a vested interest in clarifying this. The ex-editor had already demonstrated a pattern of disregard for the well-established peer-review process in that journal, and that alone does not "follow prevailing standards for conducting research in the discipline" (SI D 205, page 4), as far as I can tell. That, taken with the AAAS resolution, should be enough to justify a "you are welcome to leave or resign" call or meeting to say so.

Finally, whether or not SI D 205 needs to be revisited is perhaps something the admin may wish to pursue. I for one, find it deficient in many respects. How does it deal, for example, with the current situation: the SI staff that supported the RA passes away, so who should the RA report to?

Here are some eye-openers, juts FYI (and pardon me for sounding repetitive). Said RA:

- \* is not known who he reports to, or what decapod groups he is working on and for what projects/manuscripts;
- \* comes to work "after hours only" but nobody knows when, yet we will extend him long-term space privileges (meaning in the daytime his assigned space could be tied up);
- \* keeps an unusual number of catalogued specimens in NMNH office, and for unusual lengths of time, ignoring requests from curator in charge to place them back in stacks;
- \* keeps in NMNH office what appear to be specimens that have not been registered through the required TM procedures;
- \* has currently 50 books checked out from SI library (I checked this with the library);
- \* an SI staff from another NMNH department has been seen entering RA office and apparently handles specimens without authorization from IZ CM head or curator in charge.

If I were to do this in any other museum I'd be run out of that town...

Rafa

I'm away in Louisiana Sept 14-18, but checking e-mail regularly.

>>> Jonathan Coddington 09/13/04 10:51AM >>>

I just reread 205, but I don't see any basis for terminating his appt. based on this sort of activity. I suppose we could call him on the phone and verbally ask him to do the right thing and resign?

>>> Hans SUES 09/10/04 03:56PM >>>

Really nice - so our friend is now representing himself as NMNH/SI.

>>> Rafael Lemaitre 09/10/04 02:07PM >>>

See list of speakers:

<http://www.studium.helsinki.fi/koulutus/ala/index.asp?Tnro=1044&title=Evolution%2C+Intelligent+Design%2C+and+the+Future+of+Biology>



Evidently the SI NMNH is sending its own ID research representative to Helsinki...  
Rafa

**From:** Jonathan Coddington  
**To:** SUES, Hans  
**Date:** 10/6/2004 1:29:36 PM  
**Subject:** Re: Research Associate sponsor

Yes. I thought I might outline the difficulties his continued use of the Smithsonian name in various contexts cause us, and also hint that if he had any class he would either entirely desist or resign his appointment. Have heard some lurid rumors about people on the Hill hearing and acting on this scandal...  
J

>>> Hans SUES 10/06/04 01:19PM >>>

Thank you for copying me on this, Jon. I hope that you will use the occasion to ask (von) Sternberg to identify himself correctly as an NIH employee rather than imply employment by SI/NMNH.

>>> Jonathan Coddington 10/06/04 12:11PM >>>

Hi Rick,

Yes, I think by default you will be sponsored by the Chair (myself, currently). Other than getting to know each other, there are a few issues I can think of that need to be clarified, viz. what on-going research projects you have and which specimens/collections they may require. It would be efficient if you could prepare terse descriptions of each (a paragraph or two) that detail your proposed use of collections and also rough timelines? Secondly, as a result of fusing IZ and VZ administrative units and placing them on the 1st floor, visitor space in IZ required re-formulation and I need to consult with you about that. Thanks, by the way, for getting out of the way of the admin move in August.

How about Wed, 13th at 10am in the Zoology Chair's Office?

Cheers

Jonathan

>>> Richard Sternberg 10/06/04 10:59AM >>>

Dear Dr. Coddington,

Greetings. Marilyn Schotte informed me some weeks back that you will be the sponsor of my research associateship (otherwise, I guess, I'm "incertae sedis"). I want to schedule an appointment with you to discuss my research associate status, space, et cetera. Next week (Monday-Wednesday), morning or afternoon, or the week after is best for me.

I look forward to hearing from you.

Sincerely,

Richard v. Sternberg

**From:** Frank Ferrari  
**To:** SUES, Hans  
**Date:** 9/9/04 11:13AM  
**Subject:** Re: Reply [3]

Please read my e-mails more carefully. I am not suggesting martyrdom for anyone. I am concerned about how and by whom the Meyer manuscript was reviewed.

As an aside: in general then, who is responsible for the scientific behavior of a Research Associate of the National Museum of Natural History?

>>> Hans SUES 09/09/04 10:57AM >>>

Legally, unless you can present me with evidence that Sternberg has represented himself as an employee of NMNH, my hands are tied. I have extensively researched and consulted on this issue as I fully share your point of view. Indeed, I was strongly advised that we do not make a "martyr" out of Sternberg; you may be aware that there are powerful members of Congress who would rush to his defense.

This whole embarrassment can be credited to the late Brian Kelsey who nominated this man and to the BSW who entrusted him with the editorship of the Proceedings. Sternberg is a well-established figure in anti-evolution circles, and a simple Google search would have exposed these connections. Please place the blame where it squarely belongs. I immediately resigned from the BSW.

>>> Frank Ferrari 09/09/04 10:46AM >>>

Excuse me Hans, but I thought we were addressing the issue of the integrity of this museum's scientific research. In that respect, you are responsible for the actions of your researchers, as well as those scientists who use the name of this museum in any way related to research or collections [which includes research associates and those of the, euphemistically named, affiliated agencies]. Given the Meyer fiasco, how Sternberg represents himself to the world of science is of some consequence to you. I strongly suggest that you call McDiarmid and start asking questions rather than waiting until the crisis becomes unmanageable. Frank

>>> Hans SUES 09/09/04 10:33AM >>>

Thank you, Frank.

As the BSW is, legally speaking, an external activity, we cannot use Sternberg's mishandling of the Meyer paper to revoke his status as Research Associate. The SI Directive lists only a few points that are deemed sufficient cause for that purpose, and none applies to Sternberg.

Like you, I would like to know who the alleged reviewers were, but Roy has not told me anything. People at the NCSE suspect that some or all of them may have been co-authors on a previous paper by Meyer, which was substantially copied into the PBSW paper.

Hans

>>> Frank Ferrari 09/09/04 10:12AM >>>

I would be glad to pop over at a convenient time.

But certainly it is not unreasonable to ask McDiarmid or Banks to pull the file and determine whether the manuscript was rigorously reviewed, in effect who reviewed it? After all, Meyer [and now Sternberg] are establishing their bona fides based on the fact that for 15 years prior to Sternberg, PBSW manuscripts were rigorously reviewed by international taxonomists [I led that movement!].

So, were the reviewers people who could provide a balanced assessment of the manuscript and people who were cited in the manuscript, especially those whose ideas were opined to be wrong? Or were the reviewers people who a priori support ID or structuralism, nuanced names for creationism?

After all, the manuscript does nothing except poke holes in evolutionary processes that attempt to explain major changes in body architecture, and then gratuitously concludes that because evolution cannot explain major architectural changes, intelligent design must be the process involved.

Two traps not to get caught in:

Number of reviewers. If two or even three reviewers were used, that was not enough for a paper of this broad a reach; four to six reviewers should have been consulted.

Reviewer Anonymity. Don't let McDiarmid, Banks or Sternberg tell you that reviewers names must remain a secret. Reviewer anonymity is a request by a reviewer to an editor that the reviewer not be directly and immediately identified to the author of a manuscript under review. In fact, during the 15 years I was associate editor, we published a list of reviewers of manuscripts for the year at the end of each year as a way of advertizing our interest in a rigorous review process.

Frank

>>> Hans SUES 09/09/04 09:13AM >>>

Any suggestions are welcome. I do not like this situation at all.

>>> Frank Ferrari 09/09/04 09:11AM >>>

I think there is, but the heat may have to increase a bit.

>>> Hans SUES 09/08/04 04:02PM >>>

Hi, Frank,

*Science* is doing a feature, too. (I just had a message from one of their writers.) This is exactly the kind of news that we do not need!

I already heard about (von) Sternberg's editorial exploits. What if anything was Brian Kelsey thinking when he nominated Sternberg as a Research Associate? As Sternberg has not broken any of the rules listed in the SI Directive regarding RAs, there is nothing we can do at this point.

Hans

>>> Frank Ferrari 09/08/04 03:29PM >>>

Hi Hans,

Rafa gave me a heads up about the Nature - News. What is troubling is the implication in the article that the manuscript was peer-reviewed. I doubt that it was, based on my experience with Sternberg and the infamous Nizinski manuscript, which Sternberg also wanted to publish and also insisted had been peer-reviewed. Prior to publication, I asked him who reviewed the Nizinski manuscript, but he would not give me any names. When I insisted that the manuscript be reviewed internationally, the consensus of 4 international reviewers was rejection [sadly, Sternberg published it anyway].

Frank

**From:** "Vari, Richard" [REDACTED]  
**Date:** October 3, 2006 7:02:06 AM EDT  
**To:** [REDACTED]  
**Subject:** NMNH Research Associateship

Hello Rick,

Your Research Associate appointment at the National Museum of Natural History will expire at the end of the year. If you would like to be considered for renewal of your appointment, please send me an updated CV along with a brief statement of the projects you would like to pursue in the Division of Fishes. I will need those items within the next two weeks since decisions on appointments will be made in early November.

The Division will undergo a number of changes in the next 18 months including the shift of the collections to a new facility at MSC and the need to empty out several offices, including Vic Springer's as part of a reconstruction process. If you would like to reactivate your fish projects, we can find you some alternate work area in the Division.

Best wishes,

Rich

Richard P. Vari

Chairman, Department of Vertebrate Zoology

Research Zoologist and Curator, Division of Fishes

Smithsonian Institution

PO BOX 37012

National Museum of Natural History, WG-14, MRC 159

Washington, D.C. 20013-7012 USA

E-mail: [REDACTED]

Telephone: 202-633-1207

Division of Fishes web site <http://www.nmnh.si.edu/vert/fish.html>

**From:** Richard Sternberg, Staff Scientist [mailto:rs@si.edu]  
**Sent:** Wednesday, October 04, 2006 1:40 PM  
**To:** Vari, Richard; Springer, Victor  
**Cc:** [mailto:rs@si.edu]  
**Subject:** Re: NMNH Research Associateship: CV and Research

Hi Rich,

The projects I want to pursue in the Division of Fishes are these:

- 1) Cladistic analysis of the Acropomatidae with emphasis on determining the place of this family among basal percoids.
- 2) Indirect light-organ systems (such as the kind found in Acropoma) as models for evolutionary innovations and convergence.

My current CV is attached below.

I've cc'd Vic since I have communicated with him yesterday about re-activating my research.

The keys I currently have are #701 and #703. I will bring these with me on Monday. I request a key for the collections area and the library, plus my working space. Also, I will need a dissecting scope and camera lucida.

Thank you.

Best,

Rick

**From:** "Vari, Richard" <[REDACTED]>  
**Date:** October 5, 2006 12:42:51 PM EDT  
**To:** "Richard Sternberg, Staff Scientist" <[REDACTED]>  
**Subject:** RE: NMNH Research Associateship: CV and Research

Hi Rick,

Thank you. I will be away tomorrow through 16 October on a trip to Brazil and will formally forward the information on my return. The projects, particularly number 2 sound quite interesting.

One comment – we now have a new system in place under which you would most likely fall into the category of Research Collaborator.

Next Monday is a Federal Holiday so there would not be anyone here to get you set up. You can check with Jeff Williams, the Collections Manager in Fishes, about a work space, etc.

See you on my return,

Rich



**From:** "Richard Sternberg, Staff Scientist" [REDACTED]  
**Date:** October 5, 2006 12:52:13 PM EDT  
**To:** "Vari, Richard" [REDACTED]  
**Subject:** Re: NMNH Research Associateship: CV and Research

Thanks Rich...what precisely is the difference between a Research Associateship and a Research Collaboratorship?

Best,

Rick

**From:** "Vari, Richard" [REDACTED]

**Date:** November 14, 2006 10:16:57 AM EST

**To:** "Richard Sternberg, Staff Scientist" [REDACTED]

**Subject:** Address

Hi Rick,

The appointment letter is about ready to be sent out to you, but we just realized that we do not have your home address. Our practice is to send the letters to home rather than business addresses. Please provide that and we will get it out quickly.

Hope that your research is coming along well.

FYI. Move of the fish collection to Pod 5 at MSC is scheduled to start around mid-April, 2007.

Rich

Richard P. Vari

Chairman, Department of Vertebrate Zoology

Research Zoologist and Curator, Division of Fishes

Smithsonian Institution

PO BOX 37012

National Museum of Natural History, WG-14, MRC 159

Washington, D.C. 20013-7012 USA

E-mail: [REDACTED]

**From:** Marilyn Schotte  
**To:** Jonathan Coddington  
**Date:** 3/22/2005 9:53:42 AM  
**Subject:** statements

Hi Jon,

I searched my recycle bin and also the view function you showed me yesterday to find Sternberg-related emails. Nothing was found, because long ago I cleaned out my backlog, being an anti-clutter person and never imagining a situation like this would arise. Since February I have been keeping hard copies of anything related to Sternberg, mostly about the key and library materials, so I have those for Dolf.

I also composed a memorandum concerning various conversations with and about Sternberg. I have copied, below, the sections regarding my recollections of talks between you and me, plus what I recall about specimens in Rick's care and library materials. This memorandum will also go to Dolf.

MEMORANDUM

Feb. 8, 2005

FROM: Marilyn Schotte

RE: Conversations with Dr. Jon Coddington re: Dr. Richard Sternberg

These are my recollections about conversations between myself and Dr. Coddington with reference to Dr. Sternberg.

After the Meyer paper was published, in June or July, 2004, I was in the Chairman's Office on the third floor when Dr. C. came out of his personal office. We started talking about the paper and Dr. C. asked me if Dr. Sternberg was religious. I said as far as I knew he was an Eastern Orthodox Christian. Dr. C. had heard (via rumor) that Dr. S. had two PhDs, one in biology and one in theology. I said no, one was in philosophy (of science I thought). Later I corrected myself and told him that one degree was in biology, one was in systems design (theoretical biology), after I had read his C.V., a copy of which I then gave to Dr. C., who later said that he didn't see anything controversial in his C.V.

Some time later in the summer we talked again about the paper, as were many in the museum. I told him the paper didn't bother me but at that point I hadn't read but the first two pages. He might have asked me if Dr. S. was a fundamentalist but I am not sure; I do not recall that he asked me if he was a right-winger. He might have asked if he was a conservative but I don't remember. I think I told him he was a Republican for whatever reason. Dr. C. was not being judgmental, only curious. Whatever I said about Sternberg seems not to have affected Dr. C's objectivity because I do remember that in October, Dr. C. was reassigning research associates to a newly-formed visitor space, after a staff move, and he said that he "wanted to make sure that Dr. S. was treated fairly."

About the collection:

March 21, 2005

With regard to Rick's sense of responsibility as a Research Assistant at NMNH, I know that he kept hundreds of specimens from the USNM collection in his office for a couple of years despite repeated requests from the curator-in-charge and the Collection Manager to return the specimens to the collection. He finally returned the majority (which he was not currently working on) and moved the remainder, a small collection into a temporary office. After six months of his absence from the museum, I returned all specimens back to the main collection and noted that 10-12% of them needed alcohol, so they were being not properly curated. I also saw overdue notices from the NMNH library on Rick's desk, unopened.

He had over 50 books and periodicals checked out and ignored repeated requests to either turn them in or renew them. After the third recall notice and a prompt from me via email, he returned a book needed by someone else and told me that he "notified the library staff about the others." The next day I queried the staff about those remaining overdue books and was told that Rick had contacted no one, and that the books and periodicals were still overdue.

Marilyn

**From:** Sue Richardson  
**To:** CODDINGTON [REDACTED]  
**Date:** 2/22/2005 9:38:32 AM  
**Subject:** Re: misc

Thanks, he appreciates the effort. Unfortunately, Jon won't be up in time for a Wednesday seminar anyway. I asked Brian Huber to check into the possibility of scheduling the talk in Baird, since I think there will be a number of folks from both wings who might be interested in seeing his pics, especially since he gave NMNH most of the specimens he collected.

The whole situation sounds like a pain in the...neck. Hopefully, the ID folks will get distracted with something else soon. After spending 4.5 years in the Bible Belt, I have learned how to carefully phrase things in order to avoid the least amount of negative repercussions for the kids. And, I have heard many amazing things!! The most fun we had by far was when my son refused to say the Pledge of Allegiance because of the "under dog" part. The letter that I wrote to the principal was immediately forwarded to the lawyer for the school district--aagh. It worked out fine in the end, tho. My daughter had to take a "character" class last semester. Her teacher was very religious and, among other things, told the kids that she couldn't believe that evolution is STILL taught in the public schools since there's so much evidence that shows that it's wrong!! Unfortunately, these folks get abundant anti-evolution education every week in Sunday school, and I have no idea how we can counteract that.

Cheers, Sue

>>> Jonathan Coddington 02/22/05 12:07 AM >>>

Well, he is about to get a call from Don Wilson inviting him to give a talk in the Zoology Seminar series....take your pick, I guess.

I can't tell what is going to happen with this scandal...it's a lot more than two websites though.

Cheers

J

>>> Sue Richardson 2/21/2005 5:49 PM >>>

Hey,

I set my spouse up with a talk in Paleo next month, so nevermind on the IZ option. Just found a couple of articles detailing latest developments on the Sternberg situation on both the Discovery Institute and World Magazine websites. Yikes!! Sounds like life is getting increasingly more complex at your end. Good luck!

Cheers, Sue

Susan L. Richardson, Ph.D.  
Research Associate  
Dept. Paleobiology  
National Museum of Natural History  
Washington, DC

and

Affiliated Research Assistant Professor  
Wilkes Honors College, FAU  
Jupiter, FL 33458

Mailing address:  
Smithsonian Marine Station at Ft. Pierce  
701 Seaway Drive  
Fort Pierce, FL 34949

From: "Eugenie C. Scott" <[REDACTED]>  
To: "Hans SUES" <[REDACTED]>  
Date: 8/26/2004 7:01:49 PM  
Subject: Re: Meyer Article

Dear Hans,

I got a note from Dr. McDiarmid this afternoon, and sent him a version of the talking points I sent you. I also copied you, with some other folks, who were included in the first round of correspondence between him and me.

If you went to the DI web site, you would find that the article has been removed. Do you know if anyone at the PBSW asked the DI to take down the pdf of the article? It disappeared so fast!

McDiarmid (whom I have never met) seems to be taking a somewhat soft stand, but I could be wrong. One should be cautious reading between the lines when one does not know the writer! He wrote to me that he thought the decision to publish had been made "without a hidden agenda". Hmmmm. I don't think we have a situation here of an innocent editor just making a mistake. von Sternberg knows too much about the c/e and ID controversies not to be aware that the content of Meyer's article wouldn't fly in a normal journal. Were I truly paranoid (remember the old saying, "even paranoids have enemies") I might think that knowing he was on his way out as editor, he just decided to do his friends at the DI a big favor and publish Meyer's article, slipped in without proper peer review. Which is why I asked McDiarmid if he knew when von Sternberg resigned and when the paper was accepted.

I would very much like to know if this article went out for peer review. If it didn't, it is better for all sides. Best for the journal, because then the article's publication is clearly the result of an editor exceeding his authority. For the "cause", so to speak, of keeping bad science out of the classroom, it would make the claim that Meyer's article was published in a peer reviewed journal a hollow one. Both are advantageous. If you have any way of finding out whether the article actually received peer review, I'd greatly appreciate your passing this information on. But perhaps this information will be included in the statement that the journal will publish (if indeed this is what comes out of tomorrow's meeting.)

Perhaps it would be useful to circulate the Smithsonian policy on use of the institutional identification to all Associates. Otherwise, it might look like an attack on von Sternberg, and we want to avoid making him a martyr. Besides, my colleagues recall seeing references to von Sternberg's Smithsonian affiliation in DI literature, and then later seeing it removed. It may be that he is trying to discourage his creationist friends from using the Smithsonian title.

I guess the big question is whether he is a good enough scientist to remain there. If his non-creationist work is good, then I think he deserves the job. If not, and if others are let go under the same circumstances, then let the chips fall where they may. But none of us are after this guy's job. That isn't the point of this exercise, in my opinion.

Will you be attending the meeting of the Council tomorrow?

Eugenie

At 01:41 PM 8/26/2004, you wrote:

>Dear Eugenie,

>

>Thank you so much for taking the time to provide me with further  
>background information on Dr. (von) Sternberg. This has reframed the  
>entire discussion surrounding the BSW paper, which I now no longer  
>consider a bad editorial decision resulting from a naive concern about  
>"fairness."

>

>I have already advised Dr. McDiarmid of this new information, so that the  
>Council of the Biological Society of Washington can properly analyze and  
>adjudicate the situation at its emergency meeting tomorrow. We really  
>appreciate your thoughtful advice on this matter.

>

>Your comparison of (von) Sternberg with Sir Isaac Newton is too kind.  
>Newton lived in a very different age where science was clearly  
>subordinated to religion, and, even by the standards of his age, Sir Isaac  
>embraced some rather strange ideas if current historiography is to be believed.

>

>>From now on, I will keep an eye on Dr. (von) Sternberg, and I'd greatly  
>appreciate it if you or other NCSE specialists could let me about further  
>activities by this gentleman in areas poutside crustacean systematics. As  
>a Research Associate, Sternberg is not allowed to represent himself as an  
>employee of the Smithsonian Institution, and, if he were to do so, he  
>would forfeit his appointment.

>

>Please do add me to the listserve on appropriate responses to the Meyer  
>paper. Thank you.

>

>Best regards,

>

>Hans

>

>

>

>>> "Eugenie C. Scott" <[REDACTED]> 08/26/04 01:51PM >>>

>Dear Dr. Sues,

>

>Today we noticed that the PBSW article is posted on the Discovery Institute  
>web page. Go to <http://www.discovery.org/csc/> it is the first article  
>under "Scientific research and scholarship". I do not know if they have  
>permission to post; that is a policy that varies by journal.

>

>Regarding von Sternberg's views, he is, in fact, a YEC. He is a member of  
>the "Baraminology Study Group", a group of YECs attempting to discern the  
>amount of generic variation typifying a created kind, or Baramin. Here's a  
>link to several articles on the BSG:  
><http://www.google.com/search?sourceid=navclient&ie=UTF-8&q=Baraminology+Study+Group>

>

>It's great stuff. They talk about apobaramins, holobaramins, monobaramins  
>-- they call it "discontinuity systematics." He's one of their main  
>scientific authors. He's second from the left in the photo at the bottom of  
>this page: <http://www.bryancore.org/bsg/discontinuity01/>.

>

>Also, he's a signatory of the "DI 100" list of "Scientists Doubting

>Darwinism" which we analyzed at  
>[http://www.ncseweb.org/resources/articles/9763\\_doubting\\_darwinism\\_through\\_cre\\_4\\_8\\_2002.asp](http://www.ncseweb.org/resources/articles/9763_doubting_darwinism_through_cre_4_8_2002.asp)  
>  
>He was specially selected from the DI list in a press release they put out,  
>bragging on his Smithsonian credentials, I assume.  
>[http://www.investigatemagazine.com/\\_IDdisc2/0000006b.htm](http://www.investigatemagazine.com/_IDdisc2/0000006b.htm) So yes, his  
>creationist credentials are certainly robust. I have heard that von  
>Sternberg (who usually drops the "von" when he writes in creationist  
>sources) keeps a low profile at the Smithsonian, and doesn't discuss his  
>creationist views much if at all "at the shop."  
>  
>I'm sending you this info just so you know that low profile doesn't mean  
>inactive. On the other hand, his creationist views should not be the main  
>focus of the criticism. First, if he can do good standard science, that's  
>all we care about. Newton did pretty good science, and had some pretty  
>nutty additional ideas about reality, too. So if he keeps the nut stuff out  
>of his basically descriptive work, that's fine. His science should stand or  
>fall on its own.  
>  
>In addition, attacking him for being a creationist is bad strategy. We do  
>not wish to provide ammunition for the DI crowd to claim that the  
>"Darwinian Establishment" is out to ruin von Sternberg's career because he  
>"strayed from the path of dogmatic Darwinism". That wouldn't help the  
>cause at all. If there are repercussions for von Sternberg from the  
>article, they should be because of his poor judgement in publishing it  
>(your comments about editorial "fairness" are well taken). Therefore, this  
>incident should be handled carefully, I believe.  
>  
>I have not heard from Dr. McDiarmid, but the day is still young (especially  
>on the west coast!) Our thoughts parallel yours in terms of what might be  
>done to salvage the reputation of the journal, though we have a couple of  
>additional suggestions, or perhaps requests for information that only the  
>President/Council could provide -- having to do with the journal's  
>editorial procedures and whether or not they were followed.  
>  
>One feels awkward about proffering unrequested advice, but you were kind  
>enough to suggest below that such might be welcome! Should Dr. McDiarmid  
>reply to my note sent yesterday, I will be happy to share the following  
>with him as well:  
>  
>\*\*\*\*\*some thoughts from NCSE  
>  
>Here are some thoughts, talking points, if you will that might be useful in  
>deciding what to do about the publication of the Meyer paper in PBSW:  
>  
>First, above all, we believe strongly that the discussion should not be a  
>referendum on Dr. von Sternberg's personal scientific beliefs, even though  
>they clearly fall outside of the normal scientific mainstream. Obviously  
>Dr. von Sternberg's religious beliefs are also off the table. The focus  
>should be on the fact that he allowed into the pages of PBSW a paper that  
>was inappropriate for the journal in both content and quality. I don't  
>believe that any of us wants to make Dr. von Sternberg a martyr, either, or  
>promoting "Intelligent Design" (ID) creationism by doing so.  
>  
>1) The primary concern of the BSW is the reputation of the association  
>after the publication of an article of questionable scientific quality.



>

>2) The most important issue from the association's standpoint is the  
>quality of the science presented in the Meyer article, rather than its  
>implication for the promotion of the "intelligent design" creationist  
>movement - although that may be the concern of some BSW members.

>

>3) Regarding the scientific quality of the article, I suggest you look at  
>(and feel free to circulate) a recent post by my colleagues available here:  
><http://www.pandasthumb.org/pt-archives/000430.html#more> (Gishlick has a  
>Ph.D. in paleontology, Elsberry have Ph.D.s in biology, Matzke has an MS in  
>physical geography with a specialization in biogeography). There will be a  
>fuller analysis of the Meyer article later; other analyses of the article  
>are in preparation by associates of ours. But this article I think will  
>provide some useful information to members of the BSW Council who may not  
>be familiar with the argumentation style of the ID creationists.

>

>4) Given that the article is of substandard scientific quality, which I  
>think is demonstrated in the article above and by reactions of BSW members  
>with whom you have communicated, important questions are raised for the  
>Council's consideration. Primary among them are whether normal journal  
>procedures were followed in the receipt, review, and acceptance of this  
>article:

>

>-Although I do not know the specific PBSW peer review procedures, I assume  
>they are clearly spelled out somewhere, so the question to be asked is,  
>were these procedures followed?

>

>-If procedures were followed (and here I am generalizing from my  
>professional journals with which I am familiar), a decision was initially  
>made by the editor that the article was appropriate in subject matter for  
>inclusion in the journal. Was this an appropriate decision?

>

>-Again generalizing from other journals' procedures, I assume the article  
>then would be sent for peer review to individuals with expertise in the  
>area covered by the article. Was this procedure followed? Who among the  
>list of reviewers for PBSW has expertise in, for example, information  
>theory? Paleontology? Self-organization? Bioinformatics? Computer science?  
>Again, given the subject matter of this article, its inclusion in PBSW  
>seems odd.

>

>-If allowed by journal procedures, it would be most helpful if the  
>President or other Council members could examine the comments submitted by  
>the reviewers. If the reviewers were competent, they would have recognized  
>the substandard scientific quality of the article, and the evaluations  
>would have been negative. Therefore the editor would have accepted the  
>article in spite of these negative evaluations. If so, why? If - as we have  
>reason to suspect - the article was not sent for review, or was sent for  
>review to people outside the association, or to people ("intelligent  
>design" proponents) whose science is itself substandard, then a major  
>breakdown in procedure occurred. Frankly, this last is arguably the best  
>thing that could have happened for the society.

>

>5) If normal PBSW reviewing procedures were not followed, the  
>Council/Editorial Board or other appropriate official body of the  
>association has the opportunity to make a statement (perhaps in the  
>journal) that it regrets the publication of an article that does not meet

>PBSW's normal high standards. You could then make the point that this event  
>was the result of not following the journal's normal peer review  
>procedures, and is not expected to occur in the future, as the editor [I  
>understand that Dr. von Sternberg has resigned and a new editor is taking  
>his place] will be careful to reinstate the normal high scholarly  
>standards, etc.

>

> I invite you and the other people who are part of this discussion to join  
>a small list-serve we have set up of interested individuals who are  
>discussing what to do about the Meyer paper and its repercussions. We have  
>overlapping concerns, and thoughtful individuals may come to better and  
>better-coordinated strategies. If any of you wish to join the listserve,  
>please let me know and I will put you on the list.

>

>\*\*\*\*\*

>

>Please feel free to share these thoughts with anyone (well, not the  
>creationists!) who might find them useful. They pretty much state the  
>obvious, I imagine, but sometimes it's nice to have all the obvious in one  
>place.

>

>Eugenie

>

>At 05:47 AM 8/26/2004, you wrote:

>>Dear Dr. Scott,

>>

>>Thank you very much for copying me on your message to Dr. McDiarmid.

>>

>>All of us here at NMNH are appalled by the Meyer paper published in the  
>>latest issue of the Proceedings of the BSW. I could not believe my eyes  
>>when I read it, and immediately resigned from the BSW.

>>

>>I know little about von Sternberg. He works at NIH, and is a Research  
>>Associate in Zoology. I was interested to see that you characterize von  
>>Sternberg as a young-earth creationist. Based on conversations with two  
>>colleagues here at NMNH who are on friendly terms with him, von Sternberg  
>>felt that the paper by Meyer needed to be treated "fairly." As a long-time  
>>editor of scientific publications, I do not think that manuscripts  
>>espousing patently non-, indeed anti-scientific views require "fair"  
>>editorial treatment by an ostensibly scientific journal.

>>

>>I met with Roy McDiarmid yesterday, and urged him to publish, in the next  
>>issue of the Proceedings, an open letter to readers from the Council of  
>>BSW that Meyer's article does not represent views endorsed by BSW and that  
>>there was a clear failure of the editorial process.

>>

>>Thank you again for your message and, in advance, for any guidance that  
>>you can provide on responding to the publication of the Meyer article.

>>

>>Best regards,

>>

>>Hans Sues

>>

>>

>>

>>

>>Hans-Dieter Sues

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Now available: my new book, "Evolution vs Creationism: An Introduction",  
from Greenwood Press! For a description, go to  
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Order at <http://tinyurl.com/25tcf>

**From:** Jonathan Coddington  
**To:** Bright, Cheryl; Coffey, Tim; Fauchald, Kristian; Mickevich, Mary; Sternberg, Richard; Youmans, Carol  
**Date:** 7/28/2004 5:46:13 PM  
**Subject:** Space...

Dear Rich and Mary,

As the new Chair of Zoology, I haven't had a chance to meet with you, but, then, I gather you haven't had much time to visit the Museum.

Several things have happened that impact the space you occupy. First, we hired a malacologist (Ellen Strong), and NMFS hired a cnidarian person (Allen Collins), both of whom are starting in early September.

I suppose you know that VZ and IZ were left together when Syst Bio. was dismembered. I have recommended that the two depts. be reestablished in terms of research and collections management with two separate named chairs, budgets, etc., but remain fused in administration. This is because administration doesn't vary by discipline, and larger admin offices seem to have higher skill sets and be more efficient. The Director hasn't agreed yet to the first but he has to the second, which means I must find space for 5 admins and two chairs--which is 5 contiguous offices, one of which must be large enough to contain 3 secretaries. We will therefore vacate the chairs offices on the 3rd floor and move to 1.

The consensus of the space experts is that the first floor beginning, I think, w w100 and running down the hall a ways is the stretch that will discommode the fewest people. Rich's office, among others, is squarely hit, though.

Mary, we need your office to accommodate two of the full-time employees who must also move.

The recommended proposed solution to all this is moving the two of you and Josh Harris into Brian Kensley's corner office, which is huge. Josh is here more than you two, but I doubt if you'll ever overlap.

This particular destination may not eventuate, as the space committee has to consider various options, but, whatever we do, I think you will have to move, so this is a heads-up.

Allen and Ellen arrive ca. Sept 7th.

Tim Coffey or Carol Youmans or Cheryl Bright have the details of all this, and can help answer questions on timing, etc.

We want to keep you guys around. This seems like the best alternative. Note that Pod 5 is scheduled to be finished in 06, and no doubt another space shuffle will happen due to that.

Cheers,

Dr. Jonathan A. Coddington  
Senior Scientist, Entomology & Chair, Zoology  
Smithsonian Institution  
PO Box 37012  
NMNH E529, NHB-105  
Washington, DC 20013-7012  
~~Coddington@si.edu~~  
202-633-1056 f:202-786-2894

From: Jonathan Coddington  
To: Lemaitre, Rafael; Norenburg, Jon  
Date: 8/23/2004 1:06:01 PM  
Subject: Re: FYI

Aha. Well, this is why I want the space meeting. Need to know what the consensus is...  
J

>>> Jon Norenburg 08/23/04 12:47PM >>>

Hi Rafa,

This is all news to me. Makes me sorry to be back. I am almost blown away by this Meyer BS but Sternberg seems to have generated a legion of questionable editorial activities. In my case he was just plain sloppy in letting mss lie without action. I hope we are not even considering extending his access to space. I assume that he has no sponsor. As is, I feel like I want my office re-keyed.

--Jon

>>> Rafael Lemaitre 08/19/04 08:12 AM >>>

I thought you should be aware of the attached response sent by Rick v. Sternberg to a number of folks from the BSW Council, etc. (BTW, I had nothing to do with eliciting this, although some blind-copied me), when they questioned him on the Intelligence Design manuscript just published in PBSW. This might seem ridiculous, but it is no laughing matter for me (or any of us in the Dpt. for that matter) as he "lives" here on the floor. Also attached is a doc I copied from the website of PBAU, with info on the agenda of that University, and also the author of the ms just published in PBSW, S. Meyer. You absolutely need to be aware of what is happening here.

In his typical style, Rick claims in his letter that somehow folks are after him or S. Meyer, the author of the ms. However, if he had any idea of editorship or what PBSW is or was about (I'm not sure anymore...), he could've avoided this whole problem by simply asking the author to submit elsewhere as PBSW is not the proper venue (and end of story). That aside from the fact that he let this ms be published while violating just about every format guideline in the books.

Now tell me, is this the person we are now going out of our way to offer him a space in Crustacea, with even a name on it? Give me a break.

Rafa

**From:** Jonathan Coddington  
**To:** Bright, Cheryl; Cairns, Stephen; Coffey, Tim; Fauchald, Kristian; Ferrari, Frank; Harasewych, Jerry; Hershler, Robert; Hope, Duane; Joynt, Marty; Kornicker, Louis; Lemaitre, Rafael; Norenburg, Jon; Pawson, David; Ruetzler, Klaus; Schotte, Marilyn; Strong, Ellen; Youmans, Carol  
**Date:** 8/23/2004 1:26:42 PM  
**Subject:** Re: Wed 1pm Schmitt Rm meeting to discuss IZ Space usage and allocations

cf below

>>> Rafael Lemaitre 08/23/04 12:06PM >>>

The admin has decided to move to the 1st floor. Fine, and welcome to a "lower" view of the world. But since "The rest can be revisited", let me say this.

In advance of the meeting next Wednesday, I would like to ask 5 simple constructive questions about the non-admin part ("the rest") of the 1st floor which I hope somebody will answer during the meeting. Answers or discussion might prove helpful in a final decision on how non-admin space is apportioned. My overriding concern is visitor space, research, and making the collections accessible as per the NMNH strategic plan. I trust Cheryl will take care of any issues related to the CM side.

1. Who is making the decision on the non-admin space on the 1st floor, and on what basis? (Among other things, I did notice that there is nobody from SI staff on the space committee that actually "lives" on the 1st floor).

I think we need a revamped only IZ space committee, whose representation would draw from all regions. That group collectively gets solutions, and recommends to the Chair, who nearly always takes their advice, except when they deadlock.

2. Is there a "Crustacea" section in the Department anymore? If there still is one, who is or should be making decisions that affect scientific aspects of the crustacean collections and research activities on the 1st floor?

There's at least a Crustacea cabal, conspiracy, or interest group. I would like to clarify which space pertains to which "unit," said space then being administered locally, unless interunit fratricidal conflict requires intervention of a Higher Power.

3. Will the general visitor lab (W-103) be eliminated, and if so, why? Where will visitors be working, particularly longer term such as fellows, etc., or those that come on a regular basis such as part-timers, grad students, and research associates?

The room is certainly being reprogrammed. Crustacea has visitor needs just like everyone else, and will need some dedicated space for that as well as exceptional access to other's space in crunch times.

4. What has the committee (or anybody else for that matter) decided so far on the intended use of the ex-Kensley office (W-107): a visitor lab? a dedicated space for Sternberg and/or Mickevich, and if for these individuals, on what basis?

I gather Sternberg's stock is sinking fast. I think it is hard to think of alternatives until we actually identify them, which I'd rather do deliberately and with everyone's input. Once we have stock of visitor spaces, and of which sort (short or long), we can allocate optimally. I agree, tho, that Michevich, at least, has no common ground with Crustacea.

5. In regard to the suggested policy indicated by Jon C: "any tech occupying an entire, normal-sized office should accept the occasional need to establish a short-term visitor space", this is long overdue, logical, and welcome, particularly for those offices occupied by personnel that is on a half-time basis. But will this policy apply throughout the Department? just SI staff offices? also NMFS staff offices?

It could and I did ask Martha to be on the space committee. I could ask her to come Wed, but I think we need to get our own laundry washed before we do anyone else's. To be consistent, it depends on NMFS's visitation rates. On the other hand, affiliate space use seems a bit trickier for us to manage.

An explanatory word. The Decapod Lab (W-116) --to dispel some myths or perhaps misunderstandings-- is not "my" lab space or personal library, nor did I grab this space when Fenner vacated it. There has always been a need for such lab here, and I took the opportunity to spend my own time and research \$ to make it what it is now: an example of a decent and convenient lab space for decapod workers (about 25 per year) who typically deal with fairly bulky collections. Whether or not this room is to continue to be used as such is of course up to the admin to decide as they see fit.

See you on Wednesday.

Rafa

>>> Jonathan Coddington 08/19/04 02:37PM >>>

Folks,

The ongoing moves are creating some ripples, as one might expect, but rather than make isolated decisions or one-on-one deals, I'd rather try to deal with space systemically and globally, if possible.

For that I need your advice and counsel, as I don't know space traditions in IZ.

For the record, our immediate problems were space for Collins, Ellen Strong (welcome, Ellen!), and getting admin consolidated by Sep 7th. The rest can be revisited, if necessary.

As a start, I think it would be helpful to identify explicitly all visitor spaces in the dept, short and long-term, and to agree on a protocol for how they are used and who controls access, and what happens when demand exceeds local supply. I also think it would be helpful to have space, usage, and occupancy tabulated.

A start on that is ZooSpace2.xls on ZooArch\Space. This has all of Zoology space, but for now I am just concerned with IZ (sort on Section, or manipulate the Pivot table). Presumably this thing is inaccurate in a number of ways, not least that it doesn't reflect the recent moves, but by Wed. I hope to have it correct. If you have the time or inclination to look at this, please let me know about factual errors.

We will use it as the basis for discussion. My impression is that some of the space crunch is due to storage of fairly dead-letter items in prime space. Perhaps we can either discard such or at least move it to deep storage, e.g. the basement.

I'd also like to discuss the issue of resident, non-affiliate researchers--who they are, what they do, what they perhaps should do, why they are here, etc.

If you can't make it or don't care, no worries. I'd rather get started on this than find a slot convenient for everyone.

Jonathan

>>> Jonathan Coddington 08/19/04 02:37PM >>>

Folks,

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If you can't make it or don't care, no worries. I'd rather get started on this than find a slot convenient for everyone.  
Jonathan



**From:** Jonathan Coddington  
**To:** SUES, Hans  
**Date:** 8/25/2004 4:46:35 PM  
**Subject:** Fwd: FW: Meyer critique on PT (evoblog) [meyer2004]

Hans,

I checked the associates database (attached) and Sternberg seems not to be a research associate as of now--or at least Mary marked it as "pending."

He is lending his association with the Smithsonian to lend credibility to Intelligent Design (<http://www.bryancore.org/bsg/opbsg/index.html>)--which, if I remember right, is against res. associate rules.

He has very little support and no sponsors in IZ. At present I am not tossing him out because we have the space to accommodate him, but as I doubt that we can anyone to nominate him as a research associate...

Do you want anything done?

J

>>> "Jody Martin" <jmartin@nhm.org> 08/25/04 02:25PM >>>  
Hi Darryl and Rafa,

I thought you would be interested in this follow up to the most recent issue of PBSW and the creationist (ID) paper by Meyer. The review is worth reading, or at least knowing about for future reference. PBSW should be notified of its existence at some point, if they have not been already.

Best to both of you,

Jody

-----Original Message-----

From: Lawrence L. Lovell [<mailto:llovell@ucsd.edu>]  
Sent: Wednesday, August 25, 2004 10:15 AM  
Subject: Meyer critique on PT (evoblog) [meyer2004]

Friends,

I received the following notice regarding a review of the Meyer article in the most recent issue of the PBSW. I know you are interested in this topic and wanted you to be able to see this review. The link to the post is at the bottom of the page.

Larry

Pat, will you please forward this to Buz Wilson. I do not have his email.

>

>For your enjoyment, several of us "expert ID critics" banded together and  
>put a review of the Meyer paper online. It just hits some high (low)  
>points, but probably worth reading for those unfamiliar with the particular

**From:** Jonathan Coddington  
**To:** SUES, Hans  
**Date:** 9/1/2004 11:46:24 AM  
**Subject:** Re: Life on West Wing 1st floor

Hans,

I believe Rafa could have answered most of his questions by asking around IZ--there was no need to bother you as you no doubt appreciate. As you see, he is presuming most of this rather than asking...there is no space shortage, except insofar as Rafa wants to deny him space.

Anyway, on the core point, I obviously am not going to be able to find a sponsor for Sternberg, yet his official status is as a research associate for the next three years. If you don't want to make a martyr of him, I'll sponsor him.

As he hasn't (yet) been discovered to have done anything wrong, particularly compared to his peers, the sole reason to terminate his appt seems to be that the host unit has suddenly changed its mind. If that's OK w/ NMNH, let me know and I'll send him a letter stating so. However, as you decided originally, the political downside of that is costly.

Outside of pique, Rafa's main legitimate concern seems to be a fear of guilt by association. In any case, Rafa isn't going to shut up about this until he wins (i.e. banishes Sternberg) or gets told to.

I'm not going to get bit to death by daily emails. The access and key issues are trivial and can be fixed, if out of line.

The only grounds I see is Rafa's lack of support. If that isn't sufficient, then I basically have to tell Rafa (again) to shut up (which I am also willing to do).

Which do you prefer?

J

>>> Hans SUES 09/01/04 08:28AM >>>

It is up to Zoology to sort out this mess. Your RAs obviously receive a lot more privileges than those in other departments (e.g., Paleobiology - speaking from my personal experience). These privileges are not based on Smithsonian Directive 205 "Research Associates" (June 7, 2001), and, as a consequence, the access and office privileges of a certain RA can be reconsidered with due consideration of Rafa's concerns. Why does the RA in question have a master key rather than more restricted access? Why does he have an office when there is space shortage for regular SI staff and visiting researchers? Why does he have unrestricted collection access? You could restrict access to 8:45 AM to 5:15 PM Monday through Friday - the established core hours for Museum staff. Rafa, as the senior crustacean expert, has every right to determine the scope of collection access.

One important thing to keep in mind, however, is the equal treatment of all RAs in the section. You must not impose more onerous restrictions on one particular RA than on other RAs in the section.

Hans

>>> Rafael Lemaitre 08/31/04 12:09PM >>>

Thanks to both of you for your efforts in dealing with the current situation. Unfortunately the panorama of my work environment continues to be rather blurred. So, in an effort to try to understand what might be going on here in the Crustacea floor at least for the next 2.5 years, let me ask some questions to see if you can supply some answers.

1. We have an SI Research Associate (RA) who was appointed with the support of a curator that is now deceased. Which SI scientist now serves as support staff for this RA now? Can an RA continue to operate without a proper staff support person? If one is needed, who should this RA answer or report to?
2. The RA has access to collections, but SI Directive 205 states: "Access to and use of collections must be approved in advance by the appropriate unit staff member in accordance with established policy and

procedures". Who is this staff member? Has any curator been consulted on the research being conducted, or how the collections are being used?

3. I presume this RA has a key to most rooms in the floor (including mine), and the stacks, to allow entry at out of the ordinary business hours, i.e. when no SI staff is here. If true, who authorized this key, and is it at all legal for RAs to have keys on a permanent basis?

4. The recent events are fastly precipitating serious personnel issues as it is clear that tensions are at a high level on the floor. Is this a proper working environment for all the staff that lives on this floor? Does the admin really expect us to live normally in this environment for 2.5 years, and will things really change after that?

Rafa

**From:** Jonathan Coddington  
**To:** Bright, Cheryl; Coffey, Tim; Fauchald, Kristian; Lemaitre, Rafael  
**Date:** 8/31/2004 11:34:59 AM  
**Subject:** Re: W-123 & 1st Floor Visitor Space

Whatever...if one of you will just tell me what to do, or what meeting to have, I'll do it. I think we do need to find a space for Sternberg and Michevich, tho those are not time-sensitive either.

>>> Cheryl Bright 08/31/04 10:31AM >>>

At what point shall we sit down with all of the 1st floor people and let them know what is going to happen? This round of moves does not have to happen concurrent with the moves related to the Admin space. But moves in general are disruptive (whether you're moving or someone around you is) so it might be best to try and do whatever other moves we have to do while the 1st floor is still in a state of chaos.

>>> Rafael Lemaitre 08/31/04 09:28AM >>>

Yes K, I agree, gaining 1 visitor space is not worth putting Val and Katie thru another move, etc. Chris is already in the Decapod Lab. No sweat, Jon C to decide/confirm, but it is my understanding that on the other side of the floor, W-107 (ex Kensley office), or W-105 (current Wilson Library) would temporarily be a visitor lab until a vice Kensley is filled--at which time that visitor space will disappear.  
Rafa

>>> Kristian Fauchald 08/31/04 09:19AM >>>

My suggestion is to leave them there for the time being; have the four visitors spaces set up in W120 and see how it works. If we routinely end up in problems with more visitors than we can accomodate down there, then let us return to the issue. The gain of a single visitors space simply does not seem to be worth it. I assume that we are here talking about short-term visitors only in W120 and that the long-term people, Chris Tudge, Rick Sternberg and Mary Mickevich will be accomodated elsewhere.  
Kristian

Kristian Fauchald, Research Zoologist  
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NMNH, Smithsonian Institution  
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fax 202.357.3043  
fax: 202.357.3043

>>> Cheryl Bright 08/30/04 09:15PM >>>

I was in W-123 this afternoon and discovered that BMD had already attached the shelving to the walls. Unfortunately this is likely to interfere with setting up visitor "cubicles" in that room. We will either end up with fewer than the 5 or so spaces we planned, or we'll have to remove the wall shelving and repair walls that have just been repaired and painted.

As an alternative we might consider leaving Katie and Valorie in W-123 and using W-120 (the room they would have moved into) as the Visitor Lab. W-120 is 365 sq ft, about 50 sq ft smaller than W-123. Because of the shape of W-120 and the placement of the windows, I believe we can get either 4 spacious cubicles or 5 smaller work areas in that room. We can achieve most of what we need to achieve with one fewer move this way.

I'm still willing to have Katie and Valorie move into W-120 if the consensus is that W-123 is better utilized as a Visitor Lab. It just seems a shame to tear up the walls in W-123 so soon after they were fixed.

Cheryl F. Bright

Collection Manager, Invertebrates  
Department of Zoology  
National Museum of Natural History

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~~\_\_\_\_\_~~

**From:** Jonathan Coddington  
**To:** Bright, Cheryl; Coffey, Tim; Fauchald, Kristian; Lemaitre, Rafael  
**Date:** 9/13/2004 12:43:02 PM  
**Subject:** ZooSpace

Folks,

Another approximation to the ideal. Still has warts. Changes to things on 1 and 2 as per last conversations. May want to fiddle with splits.

Decided that responsible could be divisions...it's up to them to decide, rather than making an individual responsible, except in particular cases.

Sternberg and M are still left in 107 until they actually move to 120.

J

**From:** Jonathan Coddington  
**To:** Lemaitre, Rafael  
**Date:** 10/5/2004 2:55:30 PM  
**Subject:** Re: Sternberg Web Page

It seems reasonable to me, given that you and Sternberg are on the outs, to ask him to provide abstracts of his current research projects, and the impact of the collection thereof. In addition to info on his presumptive schedule, that should take care of Sternberg the research associate, right?  
 J

>>> Rafael Lemaitre 10/05/04 01:41PM >>>  
 Welcome back. Heard the 'coons paid you a visit...

I'm leaving Roy out of this message since BSW has responded with their Oct 4 statement (<http://www.biolSOCwash.org/> and see also: [http://www.ncseweb.org/resources/news/2004/US/294\\_bsw\\_strengthens\\_statement\\_repu\\_10\\_4\\_2004.asp](http://www.ncseweb.org/resources/news/2004/US/294_bsw_strengthens_statement_repu_10_4_2004.asp))

My message was just my opinion. AS I said, I agree that chasing this on the web is not the thing to do, even given the calamitous and inaccurate statements he has, and continues to post, on his web site.

I did not imply any retaliation for anything. His actions as editor have nothing to do with his Crustacea research, for now... although nobody knows exactly what he is doing. I've heard he is working on a book on macroevolution of crabs, and it is predictable what will be concluded therein.

Fine that you are his supervisor by default (and then whoever else is the Chair when you step down), but from his statements he doesn't seem to know who it is, or even who can officially be one. It seems to me he needs to be told, but this is up to you, of course.

I will not be able to resolve anything re the collections unless you back me up. Hans has said he will. I will of course consult with you first. When the new visitor lab is set up and ready for occupation (est. mid to late November), working schedules, access to keys, and use of collections in Crustacea will have to be addressed for the 2 resident RAs on this floor (Sternberg, Tudge).

Rafa

>>> Jonathan Coddington 10/05/04 11:01AM >>>

He does have a supervisor--the Chair, by default, if no one else. Everybody, always, has a supervisor. No, NMNH is not going to wade into "responding." If you have concrete problems regarding the collection that you cannot resolve yourself, I'd be happy to help. Note that Sternberg's actions as editor have nothing to do with his crustacea research, and we cannot in fact or apparently "retaliate" for the first through the second. Until his research associateship expires, he should receive fair and equal treatment as such.  
 Jonathan

>>> Rafael Lemaitre 09/22/04 09:06AM >>>

Thanks Hans, for taking the time to read my message.

I agree with you that dignifying a web response is not the way to approach this. But I think this is not about me, it is about all of your NMNH scientific community. Yes, it is primarily a BSW problem, but PBSW and NMNH are for better or for worse, intertwined in many ways on this one. Should we continue business as usual? I was hoping the admin would at least challenge Sternberg on the supervisor issue: he has none now. I know this is all up to the Dept. Chair to decide, but there are also serious collection issues that affect me.

Rafa

**From:** Jonathan Coddington  
**To:** Bright, Cheryl; Joynt, Marty; Lemaitre, Rafael; Youmans, Carol  
**Date:** 2/16/2005 10:01:29 AM  
**Subject:** Fwd: RE: key

Folks,

You are either admins, collection managers, or Chairs of Coll. Committee and thus need to know how the von Sternberg issue is progressing. I sent this email to Rick yesterday...vetted by OGC and OD.

Unless he can think of some way to make SI change its mind, he is now VZ's problem, absent the leftover issues from his stay w us.

J

>>> Jonathan Coddington 2/15/2005 4:56:20 PM >>>

Dear Rick,

Thanks for your response of the 11th to Marilyn's inquiry regarding your keys to Invertebrate Zoology.

As you will recall, we first communicated directly last July 28th, when I informed both you and Dr. Mickevich that the impending fusion of the Invertebrate and Vertebrate Zoology administrative offices in a block of rooms on the first floor (W100-W103a), as well as the arrival of two new scientists, made it necessary to relocate both of you into new visitor spaces. That move, by the way, ultimately affected 17 people and 20 offices, not just you. You agreed on 29 July to move as soon as the Department had prepared the new Research Associate space, and further indicated that you wished to switch from IZ to VZ.

We met on Oct. 13, 2004 to discuss your plans. I explained that normally NMNH Research Associates must have a staff scientist as sponsor. In your case, however, Brian Kensley's death 15 days after your appointment left you, as you put it, "incertae sedis." No other Invertebrate Zoology research scientist offered to sponsor you, so by default as Chair of the then Zoology Department I agreed to take responsibility for you and to act as your sponsor for the duration of your current research associate appointment (until 4 Jan. 2007).

I also explained that due to NMNH implementation of proximity access identification cards, 9/11 and greatly increased attention to security, and a NMNH-wide review of all non-employee access and ID badges, much more scrutiny was now applied to who had keys to what, and for what reason. You explained that you needed access to a work space, the Crustacea Library, and to specific collections for your research. I agreed to consult with our crustacean curators and collection manager to make sure you had access to all necessary collections.

To fulfill that promise, and also because you and I had no prior collegial relationship, I had asked you to supply brief descriptions of your intended research projects and work plan. I explained that you would continue to receive all research associate rights and privileges, including a standard research associate workspace, access to such collections as were necessary for your research, and to literature. I agreed to work out the details and we both agreed that the #600 key (master to all of IZ, not just the 1st floor) was unnecessary and inappropriate.

You replied on Nov. 1st that you had decided to cease working on Crustacea, and would henceforward work strictly on fishes, and that you still intended to vacate your space in Invertebrate Zoology within a week. I checked with Vic Springer, who agreed to provide space in WG 9, although he declined to sponsor you formally as a research associate. I then conveyed my approval of the arrangement to you (also on 1 Nov. 2004) and explained that while we could wait a while, we would eventually reshelve any IZ specimens in your work area and otherwise free up space for the use of other visitors. We did that in late December and early January.

At the request of SI Libraries, we recently attempted to find and return your more than 50 overdue library books, but several dozen apparently are still missing. If, perchance, you have removed those from the building, please return them immediately as we insist that all SI library books remain on the premises. If not, where are they? We have already checked WG 9 and Brian's old office. You are welcome to check books out from our libraries, but they should remain in your designated work space.

My only other concern is that your old IZ work area seems to contain specimens from other institutions (Univ. Miami?), but we have no records of an incoming loan in your name. For obvious reasons, we like to be aware of non-SI material in the building, so please clarify the status of these specimens with Marilyn and/or Vic. If they do belong to another institution, the transaction should be recorded in our transaction



management system.

Effective January 1st, the Museum decided to return to separate Departments of Invertebrate and Vertebrate Zoology. I remain as Chair of Invertebrate Zoology and Dr. Richard P. Vari was appointed as Chair of Vertebrate Zoology. All staff, including research associates, have been allocated to one of the two departments, and your research associate appointment was therefore allocated to Vertebrate Zoology, as per your wishes. Because no Vertebrate Zoology scientist has offered to sponsor your research associationship, Dr. Vari has kindly agreed to act in that capacity until the end of your term, just as I had done.

Thus, you are now a Research Associate in Vertebrate Zoology, not Invertebrate Zoology, and will be advised and supervised by Dr. Vari, again by default. Without a sponsoring staff scientist, I can't offer you a new Research Associateship in Invertebrate Zoology, and, in any case, Research Associates are appointed to only one science unit at a time. If you seek renewal of your appointment in 2007, you will still need a staff scientist as sponsor, as well as the approval of the Director. This procedure is standard.

I apologize for the administrative changes, but I assure you it has absolutely nothing to do with you personally. Please return your keys to IZ and take care of the above items. Henceforward, if you require support or assistance, please correspond with Dr. Vari. We welcome your visits to the Fish Division and wish you every success in your research.

Cheers

Dr. Jonathan A. Coddington  
Senior Scientist, Entomology  
& Chair, Invertebrate Zoology  
Smithsonian Institution  
PO Box 37012  
NMNH E529, NHB-105  
Washington, DC 20013-7012  
[REDACTED]  
202-633-1056 f:202-786-2894

Note: SI email now bounces all "zip" files. Rename the extension to something else to get through.

>>> "Richard Sternberg" <[REDACTED]> 2/11/2005 4:52:28 PM >>>  
Dear Marilyn,

Please forgive me for my late response to your e-mail. I'll be glad to turn in my key provided that:

- 1) I have time to remove my personal belongings (books, papers, etc.) from Brian's old office (or wherever they are at the moment); and
- 2) an electronic pass or some other key be made available for me to have access to the specimens I need to finish the three manuscripts I've been working on (eubranchyuran phylogeny and Atya cladistics). (The manuscripts I mentioned during our last lunch together, the week before you sent the e-mail below.)

Please be aware that my mother is in the hospital and that I'll be in South Carolina until the 16th.

Regards,

Rick

-----Original Message-----

**From:** Hans SUES  
**To:** Lemaitre, Rafael  
**Date:** 9/8/04 5:35PM  
**Subject:** Reply

Thank you, Rafa. *Science* will publish a piece on this issue as well.

Sternberg has not broken any rules applicable to Smithsonian Research Associates; we just have to wait until his current term expires. In the meantime, you should get your operational concerns dealt with by Zoology; I fully support your positions on the Visitor Office and collection access.

Best, Hans

>>> Rafael Lemaitre 09/08/04 03:24PM >>>  
Many thanks Hans.

My duty is to support you Hans, and I will do that, you can count on me. However, I continue to be worried about the effects of this on the NMNH and IZ, particularly if Sternberg remains working here as RA. The repudiation posted by BSW is clear as to who is at fault, and what transpired. That Standards of Conduct for SI RAs were violated, seem clear to me. Furthermore, the AAAS resolution is a banner we could and should easily adhere to, and thus rid NMNH of further problems. Believe me, if this fellow stays here in our building, more problems will come.

Nearly 2 years ago I had a similar problem (i.e. circumvention of established editorial procedures by the same PBSW editor) while I was still associate editor of PBSW, only it was a ms that nobody really cared about. I resigned in protest my editorship post and even my post as President-elect. Nobody in the BSW Council wanted to listen then or know the facts, when the problem could have been easily fixed. So here we are now.

Rafa

From: Hans SUES  
To: CODDINGTON [REDACTED], LEMAITRE [REDACTED]  
Date: 10/5/04 3:53PM  
Subject: Re: Sternberg Web Page

I agree with Jon's position. This issue has now been dealt with at length, and NMNH will not take action against Sternberg as he has not violated the SI-approved terms for Research Associates. However, I expect Zoology to deal with Rafa's operational concerns - collection security and the question why a Research Associate has a private office when there is no visitor office - quickly and effectively. Private offices really should be reserved for NMNH and affiliated-agency staff.

Hans

Hans-Dieter Sues  
Associate Director for Research and Collections  
National Museum of Natural History  
Smithsonian Institution  
NHB MRC 106  
P.O. Box 37012  
Washington, DC 20013-7012

Tel.: (202) 633-0833

Fax: (202) 633-9418

E-mail: [REDACTED]

>>> Jonathan Coddington 10/05/04 11:01 AM >>>

He does have a supervisor—the Chair, by default, if no one else. Everybody, always, has a supervisor. No, NMNH is not going to wade into "responding." If you have concrete problems regarding the collection that you cannot resolve yourself, I'd be happy to help. Note that Sternberg's actions as editor have nothing to do with his crustacea research, and we cannot in fact or apparently "retaliate" for the first through the second. Until his research associateship expires, he should receive fair and equal treatment as such.

Jonathan

>>> Rafael Lemaitre 09/22/04 09:06AM >>>

Thanks Hans, for taking the time to read my message.

I agree with you that dignifying a web response is not the way to approach this. But I think this is not about me, it is about all of your NMNH scientific community. Yes, it is primarily a BSW problem, but PBSW and NMNH are for better or for worse, intertwined in many ways on this one. Should we continue business as usual? I was hoping the admin would at least challenge Sternberg on the supervisor issue: he has none now. I know this is all up to the Dept. Chair to decide, but there are also serious collection issues that affect me.

Rafa

>>> Hans SUES 09/22/04 08:20AM >>>

Dear Rafa,

Thank you for your message.

We should bring closure to this matter, and should not dignify unpublished allegations on a private webpage with a formal response. This is largely a BSW rather than NMNH matter. If you feel personally insulted by Sternberg, you should explore legal action against him; reading his claims, he is artfully evasive in his accusations, and I doubt that you could establish libel.

Hans

>>> Rafael Lemaitre 09/21/04 01:49PM >>>

Dear Hans,

I presume you have read the recent explanations on the publication of the Meyer article in the August 4 issue of PBSW by the ex-managing editor of that journal, Richard v. Sternberg ([www.rsternberg.net](http://www.rsternberg.net)). Contrary to his claims, his explanations do not "clarify" or "resolve" disputes about the paper. In fact, his statements actually create more confusion, are inaccurate, and often contradictory and misleading. Aside from the arrogant tone of his web page, I find the insinuations about wrong doing by others except himself, disturbing and downright insulting to NMNH scientists, which is why I wish to bring this issue to your attention.

For the sake of the membership and what remains of the journal, I do hope that the PBSW editorial committee and/or BSW Council will also respond to some of Sternberg's uninformed or incorrect statements related to: 1) the editorial process he professes to have followed, 2) the outcome of the BSW meeting that took place in November 2002, and 3) the previous case that he mentions (page 3, paragraph 3) where problems arose during handling of a paper by an associate editor [presumably the Nizinski manuscript, PBSW, 116(1): 96-157]. Perhaps some of the authors of the "200 papers" Sternberg claims to have "processed" during his tenure will speak out on their experiences to corroborate or not his claim that all was well and expeditious in the editorial office, which I contend was exactly the opposite. As you know I was associate editor for PBSW for 13.5 years until June 2003, when I resigned in protest over the management of the journal. As former associate editor I have received in just over 1 year, serious complaints from authors on the handling of 17 manuscripts (e-mails are on file). One author even resigned his BSW membership in disgust, and another two from Mexico communicated to me that their manuscript was so poorly handled that they felt a predisposition against Latin-Americans from the part of the managing editor. We know from Sternberg's own admission that he does not practice "politically correct science", but this behavior is inexcusable.

That aside, however, I would like to comment here only on 3 statements made by Sternberg about some NMNH scientists which he chose not to name, as he shifts much of the blame to them (underline is mine):

1. Sternberg states that he "discussed on at least three occasions [the Meyer article] with another member of the Council of the Biological Society of Washington (BSW), a scientists at the National Museum of Natural History. Each time, this colleague encouraged me to publish the paper despite possible controversy" (page 1). Sternberg also states that he chose himself to handle the Meyer manuscript because he was the only person qualified to handle it. But still he seemed unsure of what to do, and consulted on 3 occasions with this NMNH scientist whose opinion he says he respects. Who is this scientist in the BSW Council that is such an expert on the subject matter of the Meyer article, and so qualified to advice somebody like him with 2 PhDs?

2. Responding to allegations that he rushed publication of the Meyer article, Sternberg states that publication of the Meyer article took "about 6 months", and that "By contrast, I once helped colleagues at the Museum rush out a paper on a topic upon which they feared that others were about to preempt them in about four weeks" (page 4). This is an accusatory statement implying that NMNH scientists are unethical, and are in the business of claiming authorship at the cost of bending editorial procedures. Who are these NMNH scientists which he calls "colleagues" but treats with such disdain? Was not his responsibility as editor to say "no" if the request was unethical? And in any case, if NMNH scientists behave so badly, why does Sternberg trumpet so much his Research Associate appointment at SI, or why does he even choose to share the building with us? He should be asked to resign his appointment.

3. In his letter to Science (see link in his home page), Sternberg again states that he discussed publication of the paper with a member of the BSW Council, and that "that person (who is also one of my supervisors at the Museum) encouraged me to proceed". Who is that "supervisor" that encouraged him—and since the plural is used, who else does he think serves as his supervisor or supervisors? The only NMNH research scientist who could be his supervisor, Brian Kensley (who requested his SI Research Associate appointment), was on his deathbed in early January when the Meyer article was submitted, and passed away on the 19th of that same month. Kensley could not have advised him, and in fact, Sternberg has

remained officially without a supervisor since that date. According to SI Directive 205 on RAs, only SI "Research staff" can serve as such.

I believe all this requires a response from NMNH, and Sternberg must be asked to answer the questions raised by his statements.

Rafa

FOR REGULAR MAIL, USE:

Dr. Rafael Lemaitre  
Smithsonian Institution  
Department of Zoology  
PO Box 37012  
NMNH, Room W-115, MRC 163  
Washington, DC 20013-7012

e-mail ~~XXXXXXXXXXXX@si.edu~~  
phone 202-633-0667  
fax 202-357-3043

FOR FedEx MAIL or COURIER SERVICE PACKAGES, USE:

Dr. Rafael Lemaitre  
Smithsonian Institution  
National Museum of Natural History, MRC 163  
10th St. & Constitution Avenue NW  
Washington DC 20560-0163

CC:

~~XXXXXXXXXXXX@si.edu~~

**From:** Jonathan Coddington  
**To:** Lemaitre, Rafael  
**Date:** 10/14/04 5:39PM  
**Subject:** Re: The Great IZ Visitor Space Bake-off Results

I am easily confused...and yes, I would agree that Rick and/or Mary are very probably slated for 120. I had a meeting with Rick, and have asked him to clarify what he is working on, a timeline for the research, his average schedule, what specimens he may require, and to what areas he needs access.

The 120 move I don't regard as finally decided until the space in 120 is configured and clearly is adequate for a long-term visitor. When it passes muster, we'll move them, because, in effect, IZ fills visitor space from the most anonymous and least intrusive slots inward. Last resort is sharing space with a permanent employee.

Have read your drafts and they seem ok except as regards 8-5pm. For many phds in the DC area (and they tend to accumulate), that would drastically curtail their ability to do research.

✓ I should think that one would not appoint someone as an RA unless you trusted them in the first place.

While there are degrees of trust, my general impression museum-wide is that RA's have badges that permit access 24/7. If you'd like to restrict IZ RA's to less, I think we need to make sure you have plenty of company elsewhere in the museum. In Ent, for example, RA's come and go as we do, as do students.

✓ As far as I know, Rick has not mishandled specimens, which otherwise would be grounds to monitor him more closely.

✓ Re keys, I agree, although Rick pointed out that access to the Library is also often essential, and I'd add to the range as well.

✓ If you feel strongly about this, or even if you want it definitely settled, I'd be happy to put it on a departmental meeting agenda for discussion, after you find out how other depts. handle it. If treatment is heterogenous, then IZ collectively should take a stand (but not just Crustacea).

J

>>> Rafael Lemaitre 10/14/04 05:07PM >>>

Since you e-mailed me twice the same "Done!" message... let me bug you.

Don't want to beat a dead horse, but didn't we decide already that Sternberg and Mickevich (if she ever shows up) would go into the new visitor lab W-120? Hey, and please do read the draft of the "Procedures" I sent to you (herein attached again if you lost the files: 1 is a draft cover e-mail, the other is the actual "Procedures" to be attached to the message). I will be more than glad to send this signed by all 3 Crustacea curators, once you provide blessing.

Eagerly awaiting,  
Rafa

>>> Jonathan Coddington 10/14/04 04:40PM >>>

Done!

>>> Rafael Lemaitre 10/13/04 11:58AM >>>

A couple of bake-off items to correct:

1. The correct spelling of the last name of the contractor working in W-114 is Trunnell not "Trumbull". She is thus technically not a "visitor". Of course that space in W-114 had been doubling up as visitor space and processing room when needed, before Sarah started with the contract, which will last at least 1 year--perhaps up to 3 or more if I continue to be funded. So call it what you prefer.

2. There are actually 3 spaces (equally divided) for visitors in the Decapod Lab, W-116, so it should read: Visitor 1 = Tudge as resident RA, Visitor 2, and Visitor 3. Marjorie Reaka has been working regularly over the last few months (once a week or so) using Visitor 3 space, but her space may be used when she is not here.

Thanks.

**From:** Rafael Lemaitre  
**To:** Coddington, Jonathan  
**Date:** 10/11/2004 1:37:47 PM  
**Subject:** DRAFT procedure and cover e-mail

Hi Jon. Here is what I would suggest we do as part of the re-organization of visitor space here on the 1st floor. These are only DRAFT documents for your consideration. Hans seems to have pounded pretty hard on his desk that we move quickly, so please read this carefully, and comment whether this is useful or whether I'm off base. We do need to put order into this issue, and not only because of the current problems, but because it is long overdue. Now, you have not charged me with doing this, but I've taken the liberty nonetheless. One important thing I would suggest: We need to name a coordinator for visitors, i.e. somebody who will keep track of who is coming, when, and the space to be assigned. I volunteer for this role for my floor if you think this is useful.

Now for the nitty gritty. The attached document describes PROCEDURES FOR USE OF VISITOR LABS AND COLLECTIONS BY RESIDENT RESEARCH ASSOCIATES ON CRUSTACEA FLOOR. It is meant for long term visitors, whether officially RAs (only 2 exist now for IZ: Sternberg and Tudge) or not (Mickeyevich). In the future in could be a Fellow from OFG, or somebody on an outside fellowship. And BTW, Mary seems to have disappeared from the face of the earth, so I don't know if you can justify a "long term space" for her if she is to show up once time for 3 hours every month or 2...

If this document is approved by you (I'd like Hans to be on this too), and my Crustacea curator colleagues, I would then send it to Sternberg, Tudge and Mickevich, with the following cover e-mail message.

Thanks,  
Rafa:

<<<<<DRAFT MESSAGE<<<<<<<<<<<  
Subject: New visitor lab arrangements, and procedures

Message: As you know, the visitor spaces on the 1st floor have been re-arranged as result of the admin and other SI staff moves. There are now 2 official visitor labs: a new visitor lab in W-120, and the Decapod lab in W-116. The procedures for the use of visitor labs are specified in the attached document. In case of overflow, very short term visitors may have to be accommodated in SI support staff offices (e.g., Gulledge, Moser, Nelson, Keel), or perhaps even other offices in other floors occupied by IZ staff.

The set-up of the new visitor lab (W-120) will be completed and ready for use on Nov. x. The new visitor lab will have x spaces for visitors, 2 of which could be used by resident or long term visitors or those formally appointed as SI research associates (RA). The use of this new visitor lab will be coordinated through "xx yy". SI resident RA R. v. Sternberg needs to move to W-120 ASAP, and also long term visitor M. Mickevich.

The Decapod Lab (W-116) is also a visitor space, the use of which is to be coordinated and scheduled through the decapod curator, Rafa Lemaitre. This lab has 1 space that can be occupied by a long term visitor. SI resident RA Tudge has been assigned this long term space in W-116.

It is important that all resident RAs (and in fact all visitors, whether short or long term) read and follow the procedures for the use of visitor labs and use of collections outlined in the attached document.

If any of the long term visitors Mickevich, Sternberg, or Tudge have 600s keys (this is the key that opens most offices and collections room) please surrender such key to Tim Coffey. Long term visitors will be offered a key that will open exclusively the visitor labs. Entry to any other room(s) should be coordinated with the appropriate SI staff (curator or Head CM staff).

Thank you.

**PROCEDURES FOR USE OF VISITOR LABS AND COLLECTIONS BY RESIDENT RESEARCH  
ASSOCIATES ON CRUSTACEA FLOOR (1<sup>st</sup> floor, West Wing)**

1. Contingent upon availability, a resident Research Associate (RA) is extended the privilege of using a reasonable amount of space in the Visitor Lab (W-120) or Decapod Lab (W-116), consisting of desk, and shelf for books or specimens, and a dissecting or compound scope.
2. RA must use space and equipment privileges under the assumption that other visiting scientists may need to use it also if resident RA is not working on a particular day or time. This may happen, for example, if all other spaces in the visitor lab are occupied, or if the particular optical equipment in use by RA is needed.
3. RA is expected to work during the normal core business hours of the SI staff: 8 AM to 5 PM, Monday through Friday. RA should notify in writing to his/her supervisor the expected working hours within these core hours. If possible, a door key that will open only the visitor lab (W-120) may be issued to RA. Access to collections and rooms must be coordinated with supervising curator (or in its defect the Department Chair), during these core hours.
4. RA is to report promptly, and in writing, to the scientific researcher (i.e. the supervising curator) the details of the research project(s) being conducted, and groups and/or specimens to be used, on a bi-annual basis.
5. Use of collections must adhere to *Smithsonian Directive 205* governing RA appointments (see therein p. 4, last paragraph, under *Standards of Conduct*), and thus under the following considerations:
  - The supervising curator and Head Collection Manager (CM) must have access and know the whereabouts at all times of any and all specimens being used by RA, should these be needed for any reason related to curation, management, loans, or if requested by any other visiting scholar. While in use by RA, specimens should be placed visibly and orderly on a shelf in his/her working area.
  - When moving any specimen(s) for examination from the collections room to the visitor lab, a pink slip should be left in its place on the shelf (consult CM staff for this procedure).
  - Types removed at any given time from the collections should be used and returned to their proper place in the collection room on a daily basis, and are not to remain in the visitor lab for more than 1 day under any circumstance.
  - Specimens removed from the general collections (non-types) should be used and returned promptly after examination to their proper place in the collection room. Thus, specimens removed should be reasonable in number (no more than can be examined in 1 or 2 days), and are not to remain in the visitor lab for more than 1 week under any circumstance.
  - No specimens, whether types or not, are to be dissected or used in any intrusive or damaging manner without permission from the supervising curator.
6. All specimens brought in to the building by the RA that are not part of the USNM collections, must be registered and follow the NMNH Transaction Management (TM) procedures (consult with CM for this process).
7. If possible, a shared computer station for e-mail and internet access will be made available, although this will depend on equipment availability within the Department. RA is to follow all guidelines and requirements set forth for use of e-mail and internet access by ITO (formerly ADP).

*Whorevork & when*



**From:** Rafael Lemaitre  
**To:** Coddington, Jonathan  
**Date:** 10/15/2004 9:22:57 AM  
**Subject:** Re: The Great IZ Visitor Space Bake-off Results

Jon, let me say this:

1. Hans has supported me, and said that as Crustacea curator I have every right to determine the scope of collection access. Thus why I have taken the time to prepare the draft "Procedures" sent. If there is doubt, then I request a meeting ASAP of the 3 of us to elaborate.

2. I see nothing unusual or unfair about these "Procedures" I have sent to you, and furthermore they are supported by my other 2 Crustacea colleagues (Kornicker, Ferrari). This is what I have been explaining to all visitors that I deal with when they come here anyway, only now it will be on paper.

3. If there is anything clear about SI D205 it is the access and use of collections. More precisely (page 4, 3rd paragraph): " **...Access and to and use of collections must be approved in advance by the appropriate unit staff member in accordance with established policy and procedures.**" These you have now on hand are the "Procedures" for Crustacea, and this is how we want to operate with Crustacea collections.

4. If you want to bring the issue of access in a departmental meeting agenda, that is your prerogative. I think it is not useful and a bad idea. It will open up a Pandora's box and hurt other fine arrangements elsewhere. Every curator, and every department in NMNH operates under different rules, that will not change.

5. As far as access 24/7, that is not acceptable to me at all. If RA needs to come on week-ends or off hours beyond the core SI staff working schedule M-F, arrangements can be made ahead of time and planning can easily be done as far as removal of specimens and library docs from range and Rathbun Library during normal hours.

6. As far as trust, I DO NOT trust Sternberg at all (who does around here?). You have to remember that I did not appoint him, Brian did, despite my strong objections (Pawson was a witness to this; I have e-mail). He has a long and proven history of saying one thing and doing another, the recent PBSW is just the latest case. And he does have a history of mishandling specimens: I have been told by colleagues who know, that while on a fellowship at IVIC Venezuela, Gilberto Rodriguez had to restrict Sternberg's access to the freshwater crab collections there because he was destroying many specimens.

Thanks for reading this and your prompt attention to this,  
 Rafa

>>> Jonathan Coddington 10/14/04 05:39PM >>>

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Thanks.  
Rafa

>>> Jonathan Coddington 10/13/04 11:05AM >>>

Folks,

Here is how the visitor space jamboree has turned out thus far. Things are always emendable, should change or errors require it. The 1st floor space should be configured by early Nov, when we shall address the question of the final destinations of Sternberg and Mickevich.

Note: assigned gives either the name of the visitor currently in the space, or the person who has nominal control over its use. Some of these spaces are in tech offices, and would be used only as a last resort.

If you know of other spaces that are configured as visitor space but not registered, or if you see errors in the attached, please let me know.

J

**From:** Frank Ferrari  
**To:** Lemaître, Rafael  
**Date:** 8/30/04 12:59PM  
**Subject:** Fwd: Re: Research Associate

FYI

>>> Hans SUES 08/30/04 12:55PM >>>  
Hi, Frank,

Everybody jumped on me when I suggested reviewing the terms, saying that it was an institutional rather than museum matter. Smithsonian Directive 205 (dated June 7, 2001) is specifically concerned with "Research Associates."

Right now, the nomination goes from staff member or section group to department chair to the ADRC Office to the Director. By the time I get to see it, there is already a letter for the Director's approval and signature. (I have rejected a few nominations to date.)

Hans

>>> Frank Ferrari 08/30/04 12:46PM >>>  
Hi Hans,

Surely Smithsonian Directives are not set in stone but if you feel that this is not the appropriate time to visit the issue, I can understand. Does Smithsonian Directive 205 proscribe the title 'Research Associate'?

I wonder, however, if we might consider a more open process of vetting nominees? For example, while a post doc here Sternberg was listed in an advertisement in the NYTimes as a scientist at the Smithsonian Institution who did not believe in evolution. I saw that page and certainly would have spoken up had I known he was a prospective research associate.

Frank

>>> Hans SUES 08/30/04 12:24PM >>>  
Hi, Frank,

Thank you for your message.

Well before the present fiasco, I wanted to change the criteria for "Research Associate" to make this a more selective process, but was told that this matter was formalized by Smithsonian Directive 205 and that little if any substantive change would be possible. I also wanted to create lesser categories such as "Departmental Associate" etc.; but again was told that that was impossible. We have "Research Collaborators" for academically less qualified associates.

The Sternberg situation could not have been prevented by senior management because his CV looks credible and does not reveal his interactions with the creationist movement. Rafa told me that he tried to stop the nomination but that Brian Kelsey pushed through shortly before he passed away.

The only way we can terminate an RA appointment is if the holder represents himself as an SI employee or if there is some serious conflict of interest.

Hans

>>> Frank Ferrari 08/30/04 12:13PM >>>  
Hi Hans,

Given the Sternberg fiasco perhaps this is an appropriate time to review with the Office of Fellowships and Grants their guidelines for appointment of research associates, and particularly the expected qualifications of the individual requesting to become a research associate.

SI should be clear with each letter exactly what benefits it is offering the prospective research associate, and what SI is expecting in return.

It also might be useful to carefully consider the circumstances in which a research associate can use his/her own name with the title 'Research Associate' in conjunction with 'Smithsonian Institution' or 'National Museum of Natural History'. We might decide that there should be no official title 'Research Associate' but that an appointment as research associate simply represents an opportunity to work with an NMNH researcher or with the collections.

Finally we should consider guidelines for early termination of the appointment.

Frank

## Heikkila, Erika

---

**From:** Heikkila, Erika  
**Sent:** Tuesday, November 28, 2006 5:49 PM  
**To:** 'Burke [REDACTED]'  
**Subject:** Re: Research Collaborator

Thank you for getting back to me on this. I think there is a NMNH "Directive" that describes a Research Associate. Is there something similar for Research Collaborators? If so, could I get copies of both of those directives or policies? I would assume this would be in some sort of a personnel handbook or something similar, but I don't know.

Thanks again,  
Erika

-----  
Sent from my BlackBerry Wireless Handheld

-----Original Message-----

**From:** Burke, Sheila [REDACTED]  
**To:** Heikkila, Erika  
**CC:** Payne, Nell [REDACTED]  
**Sent:** Tue Nov 28 17:32:16 2006  
**Subject:** RE: Research Collaborator

Erika,

Following are answers to the two questions that you asked:

1. What are the main differences between a Research Associate and a Research Collaborator at NMNH?

The titles reflect differences in the level of involvement of the researcher with the museum and its mission. A Research Associate works more closely with NMNH staff, often on joint projects such as joint grant proposals or publications. A Research Collaborator is less closely involved with NMNH staff and generally works on his own projects using NMNH resources. Research Associates and Research Collaborators both have access to work space and to the collections they need for their projects. The terms of appointment are the same for both categories: the minimum appointment is one year, the standard appointment is three years, the maximum appointment is three years, and appointments may be renewed.

2. When was the position of Research Collaborator created?

The Research Collaborator appointment has existed at NMNH since at least the early 1980s.

If you have any other questions, please feel free to contact me.

Sheila

---

From: Heikkila, Erika [mailto: [REDACTED]]  
Sent: Wednesday, November 22, 2006 11:06 AM  
To: Burke, Sheila  
Subject: FW: Research Collaborator

Hi Sheila,

Is there any chance I could get an answer on this by the middle of next week? Please let me know. Thanks!

Erika

-----Original Message-----

From: Heikkila, Erika  
Sent: Tuesday, November 14, 2006 3:11 PM  
To: Sheila Burke  
Subject: Research Collaborator

Hi Sheila,

I haven't contacted you in a while, but it has come to our attention that Rick Sternberg has been extended a position as a "Research Collaborator." It seems that the Museum has decided not to renew him as a Research Associate. It is Rick's understanding that this position is a newly developed position, but he has been unable to learn from anyone what the difference is between it and a Research Associate. If you could kindly let me know what the main differences are, I would appreciate it. Additionally, please let me know when this new title was created.

Thank you,

Erika Heikkila

From: Frank Ferrari  
 To: SUES, Hans  
 Date: 9/9/04 11:13AM  
 Subject: Re: Reply [3]

Please read my e-mails more carefully. I am not suggesting martyrdom for anyone. I am concerned about how and by whom the Meyer manuscript was reviewed.

As an aside: in general then, who is responsible for the scientific behavior of a Research Associate of the National Museum of Natural History?

>>> Hans SUES 09/09/04 10:57AM >>>

Legally, unless you can present me with evidence that Sternberg has represented himself as an employee of NMNH, my hands are tied. I have extensively researched and consulted on this issue as I fully share your point of view. Indeed, I was strongly advised that we do not make a "martyr" out of Sternberg; you may be aware that there are powerful members of Congress who would rush to his defense.

This whole embarrassment can be credited to the late Brian Kelsey who nominated this man and to the BSW who entrusted him with the editorship of the Proceedings. Sternberg is a well-established figure in anti-evolution circles, and a simple Google search would have exposed these connections. Please place the blame where it squarely belongs. I immediately resigned from the BSW.

>>> Frank Ferrari 09/09/04 10:46AM >>>

Excuse me Hans, but I thought we were addressing the issue of the integrity of this museum's scientific research. In that respect, you are responsible for the actions of your researchers, as well as those scientists who use the name of this museum in any way related to research or collections [which includes research associates and those of the, euphemistically named, affiliated agencies]. Given the Meyer fiasco, how Sternberg represents himself to the world of science is of some consequence to you. I strongly suggest that you call McDiarmid and start asking questions rather than waiting until the crisis becomes unmanageable. Frank

>>> Hans SUES 09/09/04 10:33AM >>>

Thank you, Frank.

As the BSW is, legally speaking, an external activity, we cannot use Sternberg's mishandling of the Meyer paper to revoke his status as Research Associate. The SI Directive lists only a few points that are deemed sufficient cause for that purpose, and none applies to Sternberg.

Like you, I would like to know who the alleged reviewers were, but Roy has not told me anything. People at the NCSE suspect that some or all of them may have been co-authors on a previous paper by Meyer, which was substantially copied into the PBSW paper.

Hans

>>> Frank Ferrari 09/09/04 10:12AM >>>

I would be glad to pop over at a convenient time.

But certainly it is not unreasonable to ask McDiarmid or Banks to pull the file and determine whether the manuscript was rigorously reviewed, in effect who reviewed it? After all, Meyer [and now Sternberg] are establishing their bona fides based on the fact that for 15 years prior to Sternberg, PBSW manuscripts were rigorously reviewed by international taxonomists [I led that movement!].

So, were the reviewers people who could provide a balanced assessment of the manuscript and people who were cited in the manuscript, especially those whose ideas were opined to be wrong? Or were the reviewers people who a priori support ID or structuralism, nuanced names for creationism?

After all, the manuscript does nothing except poke holes in evolutionary processes that attempt to explain major changes in body architecture, and then gratuitously concludes that because evolution cannot explain major architectural changes, intelligent design must be the process involved.

Two traps not to get caught in:

Number of reviewers. If two or even three reviewers were used, that was not enough for a paper of this broad a reach; four to six reviewers should have been consulted.

Reviewer Anonymity. Don't let McDiarmid, Banks or Sternberg tell you that reviewers names must remain a secret. Reviewer anonymity is a request by a reviewer to an editor that the reviewer not be directly and immediately identified to the author of a manuscript under review. In fact, during the 15 years I was associate editor, we published a list of reviewers of manuscripts for the year at the end of each year as a way of advertizing our interest in a rigorous review process.

Frank

>>> Hans SUES 09/09/04 09:13AM >>>

Any suggestions are welcome. I do not like this situation at all.

>>> Frank Ferrari 09/09/04 09:11AM >>>

I think there is, but the heat may have to increase a bit.

>>> Hans SUES 09/08/04 04:02PM >>>

Hi, Frank,

*Science* is doing a feature, too. (I just had a message from one of their writers.) This is exactly the kind of news that we do not need!

I already heard about (von) Sternberg's editorial exploits. What if anything was Brian Kelsey thinking when he nominated Sternberg as a Research Associate? As Sternberg has not broken any of the rules listed in the SI Directive regarding RAs, there is nothing we can do at this point.

Hans

>>> Frank Ferrari 09/08/04 03:29PM >>>

Hi Hans,

Rafa gave me a heads up about the Nature - News. What is troubling is the implication in the article that the manuscript was peer-reviewed. I doubt that it was, based on my experience with Sternberg and the infamous Nizinski manuscript, which Sternberg also wanted to publish and also insisted had been peer-reviewed. Prior to publication, I asked him who reviewed the Nizinski manuscript, but he would not give me any names. When I insisted that the manuscript be reviewed internationally, the consensus of 4 international reviewers was rejection [sadly, Sternberg published it anyway].

Frank



**From:** Jonathan Coddington  
**To:** Samper, Cristián; SUES, Hans; Vari, Richard  
**Date:** 2/15/2005 8:57:01 AM  
**Subject:** Re: Reply

For which one would want:  
<http://prism.si.edu/opmb/sd/sd205.htm>  
and the actual letter Rick received...who has that?

>>> Jonathan Coddington 2/15/2005 8:50 AM >>>

Since I suspect the wording of Rick's email went thru the digestive system of a lawyer, I wonder whether mine shouldn't as well? Also, the best light I can find in which to view Rick's behavior and actions is that he really does want to continue a career in systematic research, and now realizes that staff sponsors are necessary for research associateships. Since nobody is now, nor probably ever will again, sponsor him, he now realizes that his days at NMNH are limited.

So he is trying to hang on via legal/formal complaints.

When I asked Dolph if research associates had any legal standing, he said he didn't know--more or less didn't think it relevant. However, let's suppose the OSC complaint gets as bad as it can, I see two possible outcomes:

1. we are instructed to renew/make permanent his research associate status, or
2. we are instructed to give him a job.

Whichever, we ought to have a definitive statement from OGC regarding research associates, and probably before I write long letters telling Rick what the rules are and what his status is.

J

>>> Richard Vari 2/15/2005 8:32 AM >>>

Hans,

Very good. Vic Springer has confirmed that Rick can continue to conduct research in Vic's lab.

Rich

>>> Hans SUES 02/15 8:20 AM >>>

Rich,

I have asked the same question. The original RA appointment was based on a nomination by Brian Kensley to allow the nominee to work on crustaceans. To my (perhaps overly legalistic) mind, a transfer to VZ would require a new nomination by a new sponsor (not de facto, involuntary advisor). Given the present political firestorm, however, it would be better to maintain the current appointment and let the appointee serve out his term.

Hans

>>> Richard Vari 2/14/2005 7:28 PM >>>

Hello all,

The proposed response lays it all out clearly. Question - under SI/NMNH rules does an RA appointment sponsored by a curator in IZ convey to VZ with the change (expansion?) of interest on the part of the RA. Not trying to duck the responsibility, but this situation makes one think legalistically. If the forces-that-be decide that we need to accomodate Rick and that we need to make him formally an RA in VZ, I will serve as de facto advisor, but to the best of my knowledge he has not published anything on fishes so writing up a letter of support for his appointment as a RA in VZ will require a different sort of letter than those we ususally write.

Hans - any thoughts on where we go from here?

**From:** Frederick Schram <schram@biology.uconn.edu>  
**To:** "Rafael Lemaitre" <lemaitre@biology.uconn.edu>  
**Date:** 9/1/04 1:29AM  
**Subject:** Re: believe it or not

Rafa,

This is truly frightening!!! I cannot believe it has come down to this. Scientists have been perfectly willing to let these people alone in their churches. But now it looks like these people are coming out and invading our schools, biology classes, museums, and now our professional journals. These people to my mind are only a scale up on the fundies of a more destructive kind in other parts of the world. Depressing.

Oh, if we only still had Steve Gould to lead the counter-attack.

F

>Just a sampler. Check the following links.

>

>Sternberg is on the editorial board of "Occasional papers of the  
>Baraminology Study Group" dedicated to the development of a new view  
>of biology that is consistent with the

>Biblical record:: <http://www.bryancore.org/bsg/>

>

><http://www.darwinanddesign.com/reviews.php>

>

><http://www.apologetics.org/fastfactsonid.html>

>

><http://www.groupsrv.com/science/viewtopic.php?t=12558>

>

><http://www.montanaforum.com/rednews/2004/01/15/build/education/id-op.php?nnn=6>

>

>A rebuttal was published on line by the Pandas Thumb:

><http://www.pandasthumb.org/pt-archives/000430.html>. A response to

>that response (notice a PBSW article is being supplied online, and

>even offsprings will be offered):

><http://www.discovery.org/scripts/viewDB/index.php?command=view&id=2177&program=CSC&callingPage=discoMainPage>

>

>Also, here I transcribe info found on the website of Meyer's home institution:

>

>The mission of the PBAU (transcribed from their website):

>"Welcome to the Academic Programs area of Palm Beach Atlantic

>University. We are a growing and vital Christian University located

>on 26 acres in downtown West Palm Beach, the cultural and economic

>hub of the largest county in Florida. With a staff of over 126 full

>time and an equivalent number of part-time faculty, we offer over 60

>undergraduate majors, six master's degrees and one doctorate,

>organized in nine schools. The selection process for PBA faculty is

>rigorous. Faculty must demonstrate discipline, competence and a

>sensitivity and ability to intentionally integrate a Christian

>worldview in their work with students and staff. The Office of the  
>Provost is located on the second floor of Sachs Hall on the Rinker  
>campus of PBA."  
>  
>And this is what Meyer does (transcribed from his own duties listed  
>in the same website):  
>"Stephen Meyer  
>University Professor of the Conceptual Foundations of Science  
>Education:  
>B.S., Whitworth College, MPhil. Ph.D., University of Cambridge, England  
>  
>Stephen C. Meyer is Director and Senior Fellow of the Center for  
>Science and Culture at the Discovery Institute, in Seattle. Dr.  
>Meyer earned his Ph.D. in the History and Philosophy of Science from  
>Cambridge University for a dissertation on the history of origin of  
>life biology and the methodology of the historical sciences.  
>Previously he worked as a geophysicist with the Atlantic Richfield  
>Company after earning his undergraduate degrees in Physics and  
>Geology. Dr. Meyer has recently co-written or edited two books:  
>Darwinism, Design, and Public Education (forthcoming with Michigan  
>State University Press) and Science and Evidence of Design in the  
>Universe, (Ignatius 2000). He has also authored numerous technical  
>articles as well as editorials in magazines and newspapers such as  
>The Wall Street Journal, The Los Angeles Times, The Chicago Tribune,  
>First Things and The National Review. As University Professor, Dr.  
>Meyer consults with faculties within the University on the  
>integration of faith and learning. He, also, consults with the  
>Director and faculty of the Summer Honors Program in curriculum  
>development. Annually, Dr. Meyer assists in the planning and  
>coordination of a conference on intelligent design as a plausible  
>explanation from scientific evidence for the origin of life. Dr.  
>Meyer teaches a course each year in Christian Apologetics in the  
>School of Ministry. He came to PBA after having served on the  
>faculty of Whitworth College in Spokane, Washington for the past 12  
>years."  
>  
>Still have doubts? Sternberg was also a signatory of the "Discovery  
>Institute's" "100 scientist Who Doubt Darwinism", published in the  
>NY Times.  
>  
>Enjoy.  
> Rafa

---

Prof. dr. Frederick R. Schram  
Professor of Systematics and Zoogeography  
Zoological Museum  
University of Amsterdam  
Mauritskade 61  
NL-1092 AD Amsterdam, Netherlands

phone +(31.20)525.6435 fax +(31.20)525-5402  
e-mail [frs@science.uva.nl](mailto:frs@science.uva.nl)

**From:** Rick Sternberg [mailto:sternber@si.edu]  
**To:** <Coddington@si.edu>  
**Date:** 11/1/2004 12:38:36 PM  
**Subject:** Fwd: My research outline

I'll try this again...

Begin forwarded message:

> From: Rick Sternberg [mailto:sternber@si.edu]  
> Date: November 1, 2004 11:55:30 AM EST  
> To: Coddington.Jonathan@nmnh.si.edu  
> Cc: rick@rsternberg.net, Victor Springer [mailto:vspringer@si.edu]  
> Subject: My research outline  
>  
> Dear Dr. Coddington,  
>  
> I'm rather late getting this to you but my travels and lectures left  
> me little time to push this little outline your way. Anyway, my plan  
> is to work strictly with fishes, a continuation of a project I've been  
> working on for some time now. I'll be moving out of the 1st floor  
> space, though it will take me until next week to finish. My keys to  
> the first floor will be turned in after I move my things out of  
> Brian's old office.  
>  
> Sincerely and thanks,  
>  
> Rick  
>  
>  
>  
>  
>  
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>  
>

# **Outline of Richard Sternberg's Continuing Research in the National Museum of Natural History, Smithsonian Institution, 2004-2006**

**Objective:** To resolve the cladistic interrelationships of genera in the Acropomatidae, with emphasis on establishing the monophyletic status of the family (and thus its limits), identifying the sister taxon of the family, and (possibly) clarifying the percoid/non-percoid boundary. The origin of the light-organ system in *Acropoma* will be investigated throughout the study.

**Materials Needed:** The cleared-and-stained specimens needed for the study are located in the space next to Dr. Victor Springer's office. Additional specimens needed for dissection are also located in that area. Victor Springer is aware of the specimens being studied and where they are.

**Location of Research:** The space next to Victor Springer's office.

**Research Hours:** I will coming in twice a week, working the hours 9:30 AM to 2:30 PM. During those weeks that I have no NIH-related meetings on Thursdays, the days of my research will be Tuesdays and Thursdays. When I have meetings at the NIH, my research days will be Tuesdays and Fridays. This schedule will begin immediately.

**From:** Frank Ferrari  
**To:** SUES, Hans  
**Date:** 9/9/04 10:46AM  
**Subject:** Re: Reply [2]

Excuse me Hans, but I thought we were addressing the issue of the integrity of this museum's scientific research. In that respect, you are responsible for the actions of your researchers, as well as those scientists who use the name of this museum in any way related to research or collections [which includes research associates and those of the, euphemistically named, affiliated agencies]. Given the Meyer fiasco, how Sternberg represents himself to the world of science is of some consequence to you. I strongly suggest that you call McDiarmid and start asking questions rather than waiting until the crisis becomes unmanageable. Frank

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Thank you, Frank.

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Like you, I would like to know who the alleged reviewers were, but Roy has not told me anything. People at the NCSE suspect that some or all of them may have been co-authors on a previous paper by Meyer, which was substantially copied into the PBSW paper.

Hans

>>> Frank Ferrari 09/09/04 10:12AM >>>  
I would be glad to pop over at a convenient time.

But certainly it is not unreasonable to ask McDiarmid or Banks to pull the file and determine whether the manuscript was rigorously reviewed, in effect who reviewed it? After all, Meyer [and now Sternberg] are establishing their bona fides based on the fact that for 15 years prior to Sternberg, PBSW manuscripts were rigorously reviewed by international taxonomists [I led that movement!].

So, were the reviewers people who could provide a balanced assessment of the manuscript and people who were cited in the manuscript, especially those whose ideas were opined to be wrong? Or were the reviewers people who a priori support ID or structuralism, nuanced names for creationism?

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Hans

>>> Frank Ferrari 09/08/04 03:29PM >>>

Hi Hans,

Rafa gave me a heads up about the Nature - News. What is troubling is the implication in the article that the manuscript was peer-reviewed. I doubt that it was, based on my experience with Sternberg and the infamous Nizinski manuscript, which Sternberg also wanted to publish and also insisted had been peer-reviewed. Prior to publication, I asked him who reviewed the Nizinski manuscript, but he would not give me any names. When I insisted that the manuscript be reviewed internationally, the consensus of 4 international reviewers was rejection [sadly, Sternberg published it anyway].

Frank

**From:** Roy McDiarmid  
**To:** Hans SUES  
**Date:** 1/28/2005 2:25:52 PM  
**Subject:** Re: Request for information

Hans,

I will check and see if I have an electronic copy of your original message. If I don't I suspect that Carole does. I recall that you sent it to her too, possibly first. I am almost sure that I have a hard copy.

I have seen the review file and comments from 3 reviewers on the Meyer paper. All three with some differences among the comments recommended or suggested publication. I was surprised but concluded that there was not inappropriate behavior vs a vis the review process. Whether one would consider the reviews appropriate is another issue and I would be pleased to share my views on that with you if you so desire.

Roy

Note mail address and new telephone number  
Roy W. McDiarmid  
USGS Patuxent Wildlife Research Center  
Smithsonian Institution  
PO Box 37012  
National Museum of Natural History  
Room 378, MRC 111  
Washington, DC 20013-7012 USA

For courier service use  
National Musuem of Natural History  
10th and Constitution Ave NW  
Washington, D.C. 20560-0111  
telephone (202) 633-0731  
Fax (202) 357-1932  
email [REDACTED]

>>> Hans SUES 01/28 1:40 PM >>>

Dear Roy,

I already left you a voice-mail message, but I wanted to ask you again through this venue for two things.

First, I was wondering whether you still have a copy of the original e-mail message I sent to you in late August of 2004, expressing my dismay with the publication of the Meyer paper? That part of my "sent" file had unfortunately already been purged by GroupWise. I want to see what I said in order to respond more effectively to new accusations. If you have copies of our correspondence please forward them to me.

Second, has the Council of BSW ever ascertained who reviewed the Meyer paper for Dr. von Sternberg? Is the Society satisfied that a proper review by specialists was undertaken?

Thank you for your assistance.

Best, Hans



EUGENIE SCOTT

NCSE

04-to-Roy-Sept-23.wpd

McDiarmid.Roy

Dear Roy,

Sorry I didn't get this done on Monday, but we are still playing catch up.

OK, just to summarize:

-there has been rather a lot of bad publicity for the journal and society, from the public, the membership, and from nonmember scientists. As the article by Chris Mooney said, "These journals have now had their reputations dragged through the mud." (<http://www.csicop.org/doubrandabout/deja-vu/>)

-the major concern expressed is the publication in a reputable journal of a creationist article that will be used politically to advance the antievolution movement (reducing the teaching of evolution in the public schools, and including the teaching of ID and/or other forms of creationism.)

-the Council has a duty to defend the reputation of the journal and the society

I would argue that the Council also has a duty to try to reduce the potential damage to science education resulting from the publication of this article. I would argue that the Council should not just remove the ambiguities from its statement, but strengthen the statement in ways that would help to redress the damage done. This would also, I believe, have the effect of repairing among scientists the reputation of the journal and the Society after this incident, which I know is your major concern. And, because the Intelligent Design crowd is accusing the society of doing nasty things (the "gag rule" comment, among others), to respond without strengthening the statement will be spun as backing away – and more problems will likely ensue.

There are three relevant issues regarding the publication of the Meyer article in PBSW, which the revised statement should address:

- 1 -the appropriateness of its content,
- 2 -the process followed in the decision to publish it, and
- 3 -the scientific quality of the article.

Scientists critical of the publication of this article have spoken to all three, but the council has directly spoken to only the first one, and only obliquely to the third. I understand from talking with you why the second (the peer review process at PBSW) is more difficult to deal with, given the circumstances. Nonetheless, I believe there are ways at least indirectly to address the issue.

2. Addressing the "procedure" issue. Because other editors have not always referred all articles to the Associate Editors, and because editors justifiably have discretion, the Council doesn't want to come down too hard on Dr. Sternberg for errors in the procedure followed in accepting this article. But I think it is clear that appropriate reviewers were not chosen, and this is the elephant in the living room. If the Smithsonian Cambrian specialist Doug Erwin, right around the corner, had been asked to review the article, it would have been given short shrift. The editor should not be given a complete pass, here, even if it were not obligatory for him to pass the article to the paleontologist among the Associate Editors. I think

the Council can address awkward things about the Editor's choice of reviewers and other bad judgement calls by at least obliquely acknowledging it, but stressing what PBSW will do in the future, rather than dwelling on the past. See if you like the wording below.

3. Addressing the "scientific quality" issue: addressing the quality of the science presented is both of considerable importance to the reputation of the journal, as well as the broader problem of the "establishment" of ID as valid science. Yet you don't want to be too apologetic about publishing bad science, because then pressure will build even more strongly for the journal to publish a rebuttal, which for obvious reasons you don't want to do. A reader of the Council's revised statement should understand that the Council does not agree with the quality of the science of the article in addition to concluding that its content was inappropriate for PBSW. The AAAS statement can be brought in as useful authority on the scientific shortcomings of ID, and you can also reduce pressure to publish your own rebuttal by directing readers to an extant critique (as you will see in the wording below).

So here is what I suggest.

Preface the press release/digital version of the new statement with the following (The statement that you publish in a future issue of the journal will not need this explanatory paragraph).

"In light of the unexpected amount of media coverage relating to the publication of Stephen C. Meyer's article, "The origin of biological information and the higher taxonomic categories" in the *Proceedings of the Biological Society of Washington* (vol. 117, no. 2, pp 213-239) as well as certain inaccurate characterizations of the Biological Society of Washington's reaction to it, the Council of the Biological Society wishes to offer the following clarification and expansion of its previous statement, issued on September 7, 2004."

Then, revise the statement as follows (using mostly your language):

\*\*\*\*\*statement revision:

he subject matter

"The paper by Stephen C. Meyer in the *Proceedings* ("The origin of biological information and the higher taxonomic categories," vol. 117, no. 2, pp. 213-239) was published without the prior knowledge of the Council, which includes officers, elected councilors, and past presidents, or of the associate editors. We determined that all of us would have deemed ~~this paper~~ inappropriate for the pages of the *Proceedings*, ~~irrespective of its scientific quality~~, simply because ~~its topic~~ diverges from the nearly purely taxonomic content for which this journal has been known throughout its 124-year history. For the same reason, the journal will not publish a rebuttal. To those seeking a rebuttal, we commend Alan Gishlick, Nick Matzke, and Wesley R. Elsberry's detailed critique "Meyer's hopeless monster," available on-line at <http://www.pandasthumb.org/pt-archives/000430.html>. [note: I am assured by the owners of the site that this will be a permanent link, hence publishing it will be safe.]

"Since Meyer's paper was clearly not on a suitable topic for the *Proceedings*, the question of its review has arisen. Our Instructions for Contributors state that "Manuscripts are reviewed by a board of Associate Editors and appropriate referees". The Council has clarified this to mean that all future submissions will be evaluated by two members of the Editorial Committee before peer reviewers will be chosen. [or cite the new wording for future Instructions to Contributors – but the reference to this occurring before reviewers